

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

September 30, 2013

Mr. Alan P. Cerniglia
(Address withheld)
(Address withheld)

Re: Amateur Radio License KB5CUS
EB-FIELDNER-13-00011600
Warning Notice

Dear Mr. Cerniglia:

The trustee of N5ERS has requested, by letter dated September 7, 2011, that you refrain from use of his repeater. The written request was issued as a result of your failure to follow operational rules set forth by the licensee/control operator of the repeater system for his users. You have failed to comply with the formal written request.

The Commission requires that repeaters be under the supervision of a control operator and not only expects, but requires, that such control operators be responsible for the proper operation of the repeater system. Control operators may take whatever steps they deem appropriate to ensure compliance with the repeater rules, including limiting the repeater use to certain users, converting the repeater to a closed repeater or taking it off the air entirely.

Please be advised that the Commission expects you to abide by the request of the trustee and/or control operator that you stay off of N5ERS – and any other similar requests to cease operations on any other repeaters by any other repeater licensees, control operators or trustees.

Use of this repeater again after receipt of this letter could subject you to severe penalties, including license revocation, monetary forfeiture (fine)¹ or a modification proceeding to restrict the frequencies upon which you may operate.

Sincerely,

Laura L. Smith, Esq.
Special Counsel
Enforcement Bureau

Cc: Dallas Field Office
South Central Regional Director

¹ Fines normally range from \$7,500 to \$10,000.