

JUL 20 2012

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

Federal Communications Commission  
Office of the Secretary

In the Matter of )  
 ) WT Docket No. 11-7  
**GLENN A. BAXTER** )  
 ) FCC File No. 0002250244  
Application to Renew License for Amateur )  
Radio Service Station K1MAN )

To: Marlene H. Dortch, Secretary  
Attn: Richard L. Sippel, Chief Administrative Law Judge

**MOTION TO COMPEL RESPONSES TO ENFORCEMENT BUREAU'S  
SECOND SET OF INTERROGATORIES**

The Enforcement Bureau (Bureau), pursuant to Order, (12M-34) (released July 17, 2012) and 47 C.F.R. § 1.323(c), moves for an order compelling Glenn A. Baxter (Baxter) to fully and properly respond to interrogatories propounded in the Enforcement Bureau's Second Set of Interrogatories (Second Interrogatories). In support hereof, the Bureau states as follows:

1. Baxter provided his response to the Bureau's Second Set of Interrogatories on July 10, 2012.<sup>1</sup> As discussed more fully below, the Response fails to fully and completely respond to the Second Interrogatories as is required by the Commission's rules. For example, and as discussed more specifically below, rather than fully responding to the Bureau's inquiries regarding whether certain acts occurred or, alternatively, stating that he does not know whether such acts occurred, Baxter repeatedly states that he is not required to and does not keep a record of the requested information, a response that is evasive and non-responsive to the inquiry. In fact, most of Baxter's interrogatory responses provide incomplete or

<sup>1</sup> See Response to Enforcement Bureau's Second Set of Interrogatories (Response).

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otherwise deficient responses and raise meritless objections. Accordingly, Baxter should be ordered to fully and honestly respond to the Bureau's interrogatories.

2. Pursuant to Sections 1.311(b) and 1.323 of the Commission's rules, Baxter may be examined regarding "any matter, not privileged, which is relevant to the hearing issues"<sup>2</sup> and that appear "reasonably calculated to lead to discovery of admissible evidence."<sup>3</sup> "An evasive or incomplete answer is a failure to answer."<sup>4</sup> The Bureau's Second Interrogatories directly relate to the issues enumerated in paragraph 14 of the Hearing Designation Order, specifically whether Baxter (a) willfully or maliciously interfered with radio communications; (b) broadcast one-way communications on amateur frequencies; and/or (c) failed to ensure the immediate and proper operation of his station.<sup>5</sup> Moreover, each of the interrogatories seeks information from March 6, 2006, through the present, the relevant time period in question. Thus, the Bureau's interrogatories constitute permissible discovery under the Commission's rules.<sup>6</sup> Specific Bureau interrogatories and Baxter's responses thereto are discussed below.

3. ***Interrogatory No. 1.*** This interrogatory asks Baxter to "[i]dentify all persons whom Baxter has designated to be a control operator for the Station" since March 30, 2006. It directs Baxter to state if he is unable to do so and to provide additional information if he is able to do so. Baxter elected not to respond in any meaningful way to the interrogatory. He states that "K1MAN is not required by the FCC rules to and does not keep a record of such information." His answer is not only evasive and incomplete, it is unresponsive. Whether Baxter is required to maintain such information or does so voluntarily is of no matter with

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<sup>2</sup> 47 C.F.R. §§ 1.311(b), 1.323.

<sup>3</sup> *Id.*

<sup>4</sup> 47 C.F.R. § 1.323(c).

<sup>5</sup> *See Glenn A. Baxter*, Hearing Designation Order, 26 FCC Rcd 231, 235 (2011) (HDO).

<sup>6</sup> *See supra*, notes 2-3. .

regard to this interrogatory. It also is of no significance whether Baxter keeps records of such information. If Baxter has not designated anyone else to be a control operator of the Station he should so state. On the other hand, if he has designated persons to be control operators, he should identify those individuals. In this regard, Baxter should know whether he has authorized anyone else to control his station within the past 6 years. Consequently, Baxter should be ordered to fully and honestly respond to this interrogatory.

4. ***Interrogatory No. 2.*** This interrogatory asks Baxter to “[d]escribe each method used to control the Station and specify each time period in which each such method has been used” since March 30, 2006. Baxter responded that he “is not required by FCC rules to and does not keep a record of such information” but states that “[c]urrently, station control is manual.” Whether Baxter is required to maintain such information or does so voluntarily is of no matter with regard to this interrogatory. While it is helpful to know what Baxter currently is doing, he fails to respond to the interrogatory with information about his control methods used since March 30, 2006. Baxter should be ordered to fully and honestly respond to this interrogatory.

5. ***Interrogatory No. 3.*** In this interrogatory Baxter was asked to “[s]pecify all dates and times, if any, [since March 30, 2006] when the transmissions of the Station were not continuously monitored by a control operator.” Baxter’s response states that “[m]onitoring of station transmissions is not required by FCC rules and, when done, K1MAN is not required by FCC rules to and does not keep a record of such information.” Baxter’s response is evasive and non-responsive to the interrogatory. Whether the rules require Baxter to monitor his station or he does so voluntarily is of no matter with regard to this interrogatory. Either

Baxter should provide the dates and times requested or affirmatively represent that he has continuously monitored his Station since March 30, 2006.

6. **Interrogatory No. 5.** This interrogatory asks Baxter to “[s]tate whether the Station engaged in any form of transmitting one-way communications, including, but not limited to, transmitting a recording” and to provide additional, *specific* information about each such transmission. Although Baxter admits that one-way transmissions are *frequently* broadcast by the Station, he does not provide *any* of the requested, specific information about *any* of those transmissions. Baxter’s response is deficient. Baxter’s website states that Baxter has recordings of prior Station K1MAN transmissions dating to 1987.<sup>7</sup> Baxter should be ordered to fully and honestly respond to this interrogatory.

7. **Interrogatory No. 6.** This interrogatory asks Baxter to “[s]tate whether a recording has been transmitted over the Station. If not, so state.” If so, Baxter is required to provide additional, specific information regarding each such transmission. In response, Baxter admits that he *frequently* transmits recordings over the Station but he does not provide *any* of the requested, specific information regarding *any* of those transmissions. Nor does he deny knowing or having access to the requested information. Instead, Baxter offers canned response language that he “is not required by the FCC rules to and does not keep a record of such transmissions or details regarding same.” Baxter’s response is evasive and deficient. Baxter’s website states that Baxter has recordings of prior Station K1MAN transmissions dating to 1987.<sup>8</sup> Baxter should be ordered to fully and honestly respond to this interrogatory.

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<sup>7</sup> Baxter’s website notifies amateur radio operators that they can download or receive mp3 recordings of bulletins that have been transmitted “since 1987” over Station K1MAN on behalf of Baxter’s American Amateur Radio Network (IARN) and his International Amateur Radio Network (IARN) organizations. *See*, for example, <http://k1man.com/AARD.pdf> at 222-223.

<sup>8</sup> *Id.*

8. ***Interrogatory No. 7.*** This interrogatory asks Baxter to “[s]tate whether the Station transmitted a communication or signal that disrupted in any manner whatsoever communications by any other amateur radio station or amateur radio operator. If not, so state.” If so, Baxter is required to provide additional, specific information about each transmission. Baxter admits that his Station has caused “incidental interference” to other amateur radio stations but he did not provide any of the requested, specific information regarding each such disruption. Baxter does not deny knowing or having access to the information sought by this interrogatory. Baxter’s website states that he has recordings of prior Station K1MAN transmissions dating to 1987.<sup>9</sup> Baxter should be ordered to fully and honestly respond to all parts of this interrogatory.

9. ***Interrogatory No. 8.*** This interrogatory asks Baxter to “[s]tate whether [he] transmitted a communication or signal over the Station that interfered with or caused interference to any radio communication or signal. If not, so state.” If Baxter’s station caused interference, Baxter is required to provide additional, specific information regarding each instance that caused such interference. Baxter ultimately admits in his response that the Station has caused “incidental interference” to other radio communications but he does not provide any of the requested, specific information about any instances of such interference. Baxter does not, however, deny knowing or having access to the information sought by this interrogatory and his website states that he has recordings of prior Station K1MAN transmissions dating to 1987.<sup>10</sup> Baxter should be ordered to fully and honestly respond to all parts of this interrogatory.

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<sup>9</sup> See *supra*, note 7.

<sup>10</sup> *Id.*

10. **Interrogatory No. 9.** This interrogatory asks Baxter to “[s]tate whether the Station transmitted a communication or signal over or on top of any ongoing radio communication or signal. If not, so state. If so, as to each such instance of transmitting a communication or signal over or on top of any ongoing radio communication or signal,” Baxter is required to provide additional, specific information. Baxter’s response admits that Station K1MAN has disrupted another radio signal but does not provide *any* of the requested, specific information regarding *any* instances when Station K1MAN has transmitted over or on top of an ongoing communication or signal. Baxter does not, however, deny knowing or having the requested information and his website states that he has recordings of prior Station K1MAN transmissions dating to 1987.<sup>11</sup> Baxter should be ordered to fully and honestly respond to all parts of this interrogatory.

11. **Interrogatory No. 10.** This interrogatory asks Baxter to “[s]tate whether [he] maintains station records for the Station, including, but not limited to, records of station operations for the Station. If not, so state. If so, fully describe the station records that Baxter maintains.” Baxter denies maintaining *any* records for the Station. However, an examination of Baxter’s website belies that assertion and demonstrates that Baxter does maintain records regarding the Station and its operations.<sup>12</sup> Baxter’s response, therefore, appears to be evasive and inconsistent with representations made elsewhere. Baxter should be ordered to fully and honestly respond to this interrogatory.

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<sup>11</sup> See *supra*, note 7.

<sup>12</sup> In addition to notifying amateur radio operators that they may download or receive mp3 recordings of prior Station K1MAN transmissions, Baxter’s website, [www.k1man.com](http://www.k1man.com), provides programming schedules which list the dates, times, frequencies and topics of programming transmitted over Station K1MAN. See, for example, <http://k1man.com/AARD.pdf> at 222-223.

12. ***Interrogatory No. 11.*** This interrogatory states, “If you deny, in whole or in part, any of the requests in the Request for Admissions of Fact and Genuineness of Documents, served on you by the Bureau in the instant proceeding on June 14, 2012, describe specifically what you deny, and for each denial, explain in full all of the facts and circumstances and reasons that support the denial, including the name and address of each individual whose testimony you expect will corroborate the facts and circumstances of your denial.” Baxter’s response states, “K1MAN is not currently aware of any such denials.” On July 18, 2012, the Bureau filed a motion to compel Baxter’s responses to the Bureau’s First Request For Admissions of Facts (RFAs). That motion remains pending. The Bureau pointed out in the motion that, of the 23 RFAs that the Bureau propounded, Baxter responded clearly, unequivocally and unconditionally to just one (No. 12). Baxter did not respond at all to nine of the RFAs and his responses to the remaining 13 RFAs were unresponsive, conditional and/or uninformative, and not in compliance with the Commission’s rules. Assuming that the Presiding Judge directs Baxter to respond more fully to the Bureau’s RFAs, the Bureau requests that the Presiding Judge direct Baxter to also provide a full response to Interrogatory 11, based upon Baxter’s revised or supplemental responses to the Bureau’s RFAs.

13. ***Interrogatory No. 13.*** This interrogatory asks Baxter to “[i]dentify all Documents that you intend to introduce into evidence at the hearing in the captioned proceeding.” Baxter’s response states in part, “[m]ostly on the record already.” Baxter’s response is vague, unresponsive and inconsistent with the provisions of Section 1.323(b) of the Commission’s rules. Baxter should be required to respond fully, honestly, and with specificity, to this interrogatory.

14. Based on the foregoing, the Presiding Judge should enter an order compelling Baxter to serve complete and honest responses to Interrogatory Nos. 1, 2, 3, 5, 6, 7, 8, 9, 10, 11 and 13 that comply fully with Section 1.323 of the Commission's rules and the instructions contained in the Second Interrogatories.

Respectfully submitted,

P. Michele Ellison  
Chief, Enforcement Bureau

A handwritten signature in black ink that reads "Judy Lancaster". The signature is written in a cursive, flowing style.

Judy Lancaster, Attorney  
Investigations and Hearings Division  
Enforcement Bureau

Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Room 4-C330  
Washington, D.C. 20554  
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July 20, 2012



**ATTACHMENTS**

**ENFORCEMENT BUREAU'S  
SECOND SET OF INTERROGATORIES**

and

**RESPONSE TO ENFORCEMENT BUREAU'S  
SECOND SET OF INTERROGATORIES**

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of )  
 ) WT Docket No. 11-7  
**GLENN A. BAXTER** )  
 ) FCC File No. 0002250244  
Application to Renew License for Amateur )  
Radio Station K1MAN )

To: Glenn A. Baxter

**ENFORCEMENT BUREAU'S  
SECOND SET OF INTERROGATORIES**

The Enforcement Bureau (“Bureau”), pursuant to Section 1.323 of the Commission’s Rules, 47 C.F.R. § 1.323, hereby submits the following interrogatories to Glenn A. Baxter (“Baxter”). Baxter shall deliver his responses to the offices of the Investigations & Hearings Division, Enforcement Bureau, Federal Communications Commission, Suite 4-C330, 445 12<sup>th</sup> Street, S.W., Washington, DC 20554 within 14 days of the date of service of these interrogatories.

The obligation of Baxter to answer these interrogatories is continuing in nature. Baxter has an obligation to provide in the future any and all additional responsive information that may come to his attention subsequent to answering these interrogatories but not initially disclosed at the time, date and place set forth herein or in any supplemental answers that he submits. In this regard, Baxter must supplement his initial and any and all supplemental responses if he learns that, in some material respect, the responses initially provided, or as supplemented, were

incomplete or incorrect, or if he acquires additional responsive information, or if such information becomes known to him after his initial or any supplemental responses.

### **Definitions**

a. As used herein, the term “you” or “your” or “Baxter” means Glenn A. Baxter, Amateur Radio Operator and Licensee of Amateur Radio Station K1MAN, FRN No. 0013164975.

b. The terms/phrases “referring to,” “relating to” and/or “concerning,” as used herein, shall be interpreted broadly and shall include, but not be limited to, the following meanings: constituting, comprising, evidencing, reflecting, respecting, discussing, referring to, stating, describing, recording, noting, considering, embodying, evaluating, analyzing, mentioning, containing, concerning, regarding, indicating, pertaining to, showing, bearing upon, studying, memorializing, or commenting upon, or any other term synonymous with or similar to the foregoing.

c. “State” and “describe” mean to set forth a complete and detailed statement of all information, circumstances and facts that refer to, relate to, reflect, comprise or bear upon the matter concerning which information is requested.

d. The terms “identify” and “identification” when used in reference to an individual person mean to state his full name, residence and business telephone numbers, and present residence and business addresses if known, and his present or last known title, position and business affiliation.

e. The terms “identify” and “identification” when used in reference to a person other than a natural person mean to state the full and official name of the business entity, its principal

place of business, and the main telephone number of such business entity.

f. The terms “identify” and “identification” when used in reference to a document mean to state its date, type (e.g., memo, telecopy, email), and its authors, addressees, title, if any, and, if no title, a brief description of the subject matter of the document and its present or last known location and custodian. If any document once was, but is no longer, in your possession, custody, or control, state what disposition was made of it and the reason for such disposition.

g. The terms “identify” and “identification” when used in reference to any act, activity, practice, policy, effort, event, transaction, negotiation, discussion, conversation, occasion, occurrence, meeting, representation, agreement or communication, mean to: (a) describe the nature and substance of the act, activity, practice, policy, effort, event, transaction, negotiation, discussion, conversation, occasion, occurrence, meeting, representation, agreement or communication; (b) state the date when and place where it occurred; and (c) identify each person who was a participant therein.

h. The term “and” also means “or” and the term “or” also means “and.”

i. The term “each” also means “every” and the term “every” also means “each.”

j. The term “all” also means “any” and the term “any” also means “all.”

k. The term "Document" means the complete original (or in lieu thereof, exact copies of the original) and any non-identical copy (whether different from the original because of notations on the copy or otherwise), regardless of origin or location, of any taped, recorded, transcribed, written, typed, printed, filmed, videotaped, punched, computer-stored, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated, or made, including but not limited to any book, pamphlet, periodical, contract, agreement, correspondence, letter, facsimile, e-mail, file, invoice, memorandum, note, telegram,

report, record, handwritten note, working paper, routing slip, chart, graph, photograph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minutes, marketing plan, research paper, preliminary drafts, or versions of all of the above, and computer material (print-outs, cards, magnetic or electronic tapes, disks and such codes or instructions as will transform such computer materials into easily understandable form) in the possession, custody, or control of Baxter.

l. “Discussion” means any assembly, congregation, encounter, meeting or conversation between or among two or more individuals for any purpose, whether or not planned, arranged, or scheduled in advance. “Discussion” includes, without limitation, all oral communications, whether or not in person, by telephone (including voicemails and similar recordings), or otherwise, and electronic communications (including emails) between two or more individuals.

m. “Person” means any natural person or legal entity, including but not limited to any corporation, partnership, proprietorship, firm, trust, association, government entity, organization, or group of persons.

n. “Commission” or “FCC” means the Federal Communications Commission and all of its bureaus and offices.

o. “Rules” means the Commission’s regulations found in Title 47 of the Code of Federal Regulations.

p. “Broadcasting” refers to transmissions intended for reception by the general public, either direct or relayed.

q. “Station” means Amateur Station K1MAN, licensed to Glenn A. Baxter.

## Instructions

a. The singular of a term includes the plural number and vice versa, any use of gender includes both genders, and a verb tense includes all other verb tenses where the clear meaning is not distorted by addition of another tense or tenses. Defined terms have the meaning provided above, whether or not they are capitalized below.

a. Where an identified document has been destroyed, or is alleged to have been destroyed, state the reasons for its destruction, the names of the persons having any knowledge of its destruction, and the names of the persons responsible for its destruction.

b. Where an identified document is not in your possession, custody or control, state the names of the persons who have possession, custody or control of such document. If such document was in your possession, custody or control in the past but is no longer in your possession, custody or control, state what disposition was made of it, the reasons for such disposition, identify any persons having any knowledge of such disposition, and identify the persons responsible for such disposition.

c. If any information called for by an interrogatory is withheld on the basis of a claim of privilege, the nature of the claim of privilege and the nature of the information in respect of which it is claimed shall be set forth. Where the claimed privileged subject matter forms only part of the entire document involved, indicate that such is the case and whether you will produce the document with the privileged portions blocked out or obliterated in a copy thereof.

d. If you object to any part of an interrogatory and refuse to answer that part, state your objection and your reason therefore, and answer the remaining portion of that interrogatory.

If you object to the scope or time period of an interrogatory and refuse to answer for that scope or time period, state your objection and your reason therefore, and answer the interrogatory for the scope or time period you believe is appropriate (including in your answer a specific statement as to why you believe the scope or time period is inappropriate).

e. If the answer to any question is “None,” or if a section is not applicable to your business, so indicate rather than leave the space blank.

f. Unless otherwise specified, supply all information requested for the period **March 30, 2006, through the present.**

### **INTERROGATORIES**

1. Identify all persons whom Baxter has designated to be a control operator for the Station.

If you are unable to do so, so state. Otherwise, as to each such person, specify the dates and times when that individual served as a control operator for the Station.

2. Describe each method used to control the Station and specify each time period in which each such method has been used.

3. Specify all dates and times, if any, when the transmissions of the Station were not continuously monitored by a control operator.

4. State whether the Station engaged in any form of Broadcasting. If not, so state. If so, as to each such instance of Broadcasting:

- a. Identify the control operator of the Station;
- b. Specify the date and time when the Broadcasting commenced;
- c. Specify the date and time when the Broadcasting ended;
- d. Specify the frequency on which the Broadcasting took place;
- e. Explain the reason for the Broadcasting;
- f. Describe the substance of the programming that was broadcast;
- g. Identify all persons who complained (whether verbally or otherwise) to Baxter about the Broadcasting.

5. State whether the Station engaged in any form of transmitting one-way communications, including, but not limited to, transmitting a recording. If not, so state. If so, as to each such instance of one-way transmitting:

- a. Identify the control operator of the Station when the transmission occurred;
- b. Specify the date and time when the one-way transmitting commenced;
- c. Specify the date and time when the one-way transmitting ended;
- d. Specify the frequency on which the one-way transmitting took place;
- e. Specify the amount of time used to transmit the one-way transmission;
- f. Explain fully the reason for the one-way transmitting;
- g. Describe in detail the content and substance of the programming that was transmitted one-way;
- h. Identify all persons who complained (whether verbally or otherwise) to Baxter about the one-way transmitting.

6. State whether a recording has been transmitted over the Station. If not, so state. If so, as to each transmission of a recording over the Station:

- a. Provide a detailed description of the content of the recording;
- b. Identify the control operator of the Station during the day and time when the recording was transmitted;
- c. Specify each date and time when transmission of the recording began;
- d. Specify each date and time when transmission of the recording ended;
- e. Specify the frequency on which the recording was transmitted;
- f. Specify the amount of time used to transmit the recording;
- g. Explain fully the reason for transmitting the recording;
- h. Describe the substance of the programming that was transmitted one-way;
- i. Identify all persons who complained (whether verbally or otherwise) to Baxter about transmission of the recording.

7. State whether the Station transmitted a communication or signal that disrupted in any manner whatsoever communications by any other amateur radio station or amateur radio operator. If not, so state. If so, as to each such instance of disruption:

- a. Identify the control operator of the Station;
- b. Specify the date and time when the disruption commenced;
- c. Specify the date and time when the disruption ended;
- d. Specify the frequency on which the disruption took place;
- e. Explain the reason for the disruption;
- f. Describe how the disruption occurred;



- g. Identify the amateur radio operator and amateur radio station whose communication was disrupted;
- h. Identify all persons who complained (whether verbally or otherwise) to Baxter about the disruption.

8. State whether Baxter transmitted a communication or signal over the Station that interfered or caused interference to any radio communication or signal. If not, so state. If so, as to each such instance of interfering or causing interference:

- a. Identify the control operator of the Station;
- b. Specify the date and time when the interference commenced;
- c. Specify the date and time when the interference ended;
- d. Specify the frequency on which the interference took place;
- e. Explain the reason for the interference;
- f. Describe how the interference occurred;
- g. Identify the amateur radio operator and amateur radio station whose communication or signal was interfered with;
- h. Identify all persons who complained (whether verbally or otherwise) to Baxter about the interference.

9. State whether the Station transmitted a communication or signal over or on top of any ongoing radio communication or signal. If not, so state. If so, as to each such instance of transmitting a communication or signal over or on top of any ongoing radio communication or signal:

- a. Identify the control operator of the Station;
- b. Specify the date and time when the transmission commenced;
- c. Specify the date and time when the transmission ended;
- d. Specify the frequency on which the transmission took place;
- e. Explain the reason for the transmission;
- f. Identify the amateur radio operator and amateur radio station whose communication or signal was affected by the transmission;
- g. Identify all persons who complained (whether verbally or otherwise) to Baxter about the transmission.

10. State whether Baxter maintains station records for the Station, including, but not limited to, records of station operations for the Station. If not, so state. If so, fully describe the station records that Baxter maintains.

11. If you deny, in whole or in part, any of the requests in the Request for Admissions of Fact and Genuineness of Documents, served on you by the Bureau in the instant proceeding on June 14, 2012, describe specifically what you deny, and for each denial, explain in full all of the facts and circumstances and reasons that support the denial, including the name and address of each individual whose testimony you expect will corroborate the facts and circumstances of your denial.

12. Identify all witnesses upon whose testimony you intend to rely at the hearing in the captioned proceeding.

13. Identify all Documents that you intend to introduce into evidence at the hearing in the captioned proceeding.

Respectfully submitted,

P. Michele Ellison, Chief  
Enforcement Bureau

Judy Lancaster  
Attorney  
Investigations and Hearings Division

Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 4-C330  
Washington, D.C. 20554  
(202) 418-1420

July \_\_, 2012

**CERTIFICATE OF SERVICE**

Judy Lancaster, an Attorney Advisor, in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has, on this \_\_\_ day of July 2012, sent by first class United States mail and e-mail, copies of the foregoing "Enforcement Bureau's Second Set of Interrogatories" to:

Glenn A. Baxter  
the Station  
RR 1, Box 776  
Belgrade Lakes, ME 04918  
Email to: [k1man14275@aol.com](mailto:k1man14275@aol.com) and [Institute@K1MAN.com](mailto:Institute@K1MAN.com)

and by hand-delivery to

Chief Administrative Law Judge Richard L. Sippel  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Suite 1-C768  
Washington, D.C. 20054

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Judy Lancaster

Before the  
Federal Communications Commission

Washington, D.C. 20554

In the Matter of	)	WT Docket No. 1107
GLENN A. BAXTER	)	FCC File No. 0002250244
Application to renew License for Amateur Radio	)	FRN 0013164975
Service Station K1MAN	)	

One copy mailed postage prepaid this date to the Hearings Division, Enforcement Bureau, Suite 4-330, 445 12<sup>th</sup> Street, S.W., Washington, D.C. 20554

Three copies mailed postage prepaid this date to Marlene H. Dortch, Secretary, Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Washington, D.C. 20554

Faxed this date to FCC Administrative Law Court number (202) 418-0195

E-mailed this date to [Richard.Sippel@fcc.gov](mailto:Richard.Sippel@fcc.gov), [Mary.Gosse@fcc.gov](mailto:Mary.Gosse@fcc.gov), [Judy.Lancaster@fcc.gov](mailto:Judy.Lancaster@fcc.gov),  
[Gary.Shonman@fcc.gov](mailto:Gary.Shonman@fcc.gov)

**RESPONSE TO ENFORCEMENTS BUREAU'S SECOND SET OF INTERROGTORIES**

Interrogatory number 1: K1MAN is not required by FCC rules to and does not keep a record of such information.

Interrogatory number 2: K1MAN is not required by FCC rules to and does not keep a record of such information. Currently, station control is manual.

Interrogatory number 3: Monitoring of station transmissions is not required by FCC rules and, when done, K1MAN is not required by FCC rules to and does not keep a record of such information.

Interrogatory number 4:

K1MAN is not and never has been engaged in any form of broadcasting as defined by FCC rules.

Interrogatory number 5: K1MAN is frequently engaged is legal one way transmission of information bulletins. K1MAN is not required by FCC rules to and does not keep a record of such transmissions or details regarding same.

Interrogatory number 6: K1MAN frequently and legally transmits recordings. K1MAN is not required by FCC rules to and does not keep a record of such transmissions or details regarding same.

Interrogatory number 7: K1MAN has never disrupted another radio signal except for legal incidental interference, such as often happens with the American Radio Relay League's amateur radio information bulletin station W1AW. However stations such as K3VR have frequently anticipated K1MAN information and have caused intentional interference in criminal violation of federal statutes. Notarized complaints by K1MAN and others about this have been filed with the FCC and the Department of Justice and in all cases ignored, this itself being a criminal violation of federal statutes.

**Your applicant requests copies of all the above referenced criminal complaints that are on file with the FCC.**

Interrogatory number 8: That would be "Mr. Baxter." K1MAN has never disrupted another radio signal except for legal incidental interference, such as often happens with the American Radio Relay League's amateur radio information bulletin station W1AW. However stations such as K3VR have frequently anticipated K1MAN information and have caused intentional interference in criminal violation of federal statutes. Notarized complaints by K1MAN and others about this have been filed with the FCC and the Department of Justice and in all cases ignored, this itself being a criminal violation of federal statutes.

Interrogatory number 9: K1MAN has never disrupted another radio signal except for legal incidental interference, such as often happens with the American Radio Relay League's amateur radio information bulletin station W1AW. However stations such as K3VR have frequently anticipated K1MAN information and have caused intentional interference in criminal violation of federal statutes. Notarized complaints by K1MAN and others about this have been filed with the FCC and the Department of Justice and in all cases ignored, this itself being a criminal violation of federal statutes.

Interrogatory number 10: That would be "Mr. Baxter." K1MAN maintains no such records and is not required to by FCC rules.

Interrogatory number 11: K1MAN is not currently not aware of any such denials.

Interrogatory number 12: William R. Holingsworth, John Johnson, Edward Kelly, and other FCC officials or agents yet to be determined.

Interrogatory number 13: Mostly on the record already or yet to be determined.

signed)

Glenn A. Baxter, P.E.

Dated: 28 June 2012

CERTIFICATE OF SERVICE

Applicant Glenn A. Baxter, P.E., K1MAN hereby certifies that a copy of this brief was on 28 June 2012 e-mailed to [Judy.Lancaster@fcc.gov](mailto:Judy.Lancaster@fcc.gov) and also mailed, postage prepaid, to Judy Lancaster, Esq., Federal Communications, 445 12<sup>th</sup> Street, S.W., Suite 4A267, Washington, D.C. 20554.

(signed)

Glenn A. Baxter

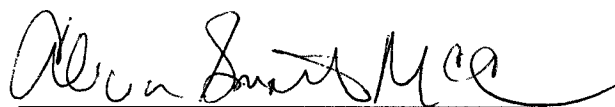
**Certificate of Service**

Alicia McCannon, an Enforcement Analyst in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has, on this 20<sup>th</sup> day of July 2012, sent by first class United States mail and e-mail, copies of the foregoing "Motion To Compel Responses to Enforcement Bureau's Second Set of Interrogatories" to:

Glenn A. Baxter  
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Belgrade Lakes, ME 04917\*  
Email to: [k1man14275@aol.com](mailto:k1man14275@aol.com) and [Institute@K1MAN.com](mailto:Institute@K1MAN.com)

and by hand-delivery to

Chief Administrative Law Judge Richard L. Sippel  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Suite 1-C768  
Washington, D.C. 20054



Alicia McCannon

\*The last known address of Glenn A. Baxter