

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

FILED/ACCEPTED
JUN 14 2012
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: Glenn A. Baxter

ENFORCEMENT BUREAU'S
FIRST REQUEST FOR ADMISSION OF FACTS

The Enforcement Bureau, pursuant to Order (11M-04) (released February 15, 2011), and Section 1.246 of the Commission's rules, 47 C.F.R. § 1.246, hereby requests that Glenn A. Baxter (Baxter) admit to the truth of the facts set forth in the numbered paragraphs below. Each response shall be labeled with the same number as the subject admission request and shall be made under oath or affirmation of the person providing the response. Baxter shall deliver his responses to the offices of the Investigations and Hearings Division, Enforcement Bureau, Suite 4-C330, 445 12th Street, S.W., Washington, DC 20554 within 10 calendar days of the service of this request.

Baxter is reminded that "[a] denial shall fairly meet the substance of the requested admission, and when good faith requires that a party deny only a part or a qualification of a matter of which an admission is requested he shall specify so much of it as is true and deny only the remainder." 47 C.F.R. § 1.246(b).

No. of Copies rec'd 0 + 6
List ABCDE

Requests For Admissions

1. Station K1MAN has been automatically controlled.
2. Station K1MAN has transmitted recordings.
3. On July 16, 2009, Baxter transmitted a pre-recorded program regarding amplifiers over Station K1MAN on frequency 14.275 MHz.
4. On July 16, 2009, Baxter transmitted a pre-recorded and unintelligible program regarding amplifiers over Station K1MAN on frequency 14.275 MHz.
5. On July 16, 2009, Baxter transmitted a pre-recorded and unintelligible program regarding amplifiers over Station K1MAN for approximately eighty (80) minutes on frequency 14.275 MHz.
6. Station K1MAN was under automatic control on July 16, 2009, during the time when it transmitted a pre-recorded program regarding amplifiers on frequency 14.275 MHz.
7. Baxter was the station operator of Station K1MAN on July 16, 2009, during the time when a pre-recorded program regarding amplifiers was transmitted over Station K1MAN on frequency 14.275 MHz.
8. On July 16, 2009, at approximately 4:00 p.m., Station K1MAN's transmission on frequency 14.275 MHz. disrupted ongoing communications on that frequency.
9. On July 17, 2009, at approximately 1:28 p.m., Station K1MAN began transmitting on frequency 14.275 MHz while other radio communications were ongoing on that frequency.
10. On July 25, 2009, at approximately 4:45 p.m., Station K1MAN transmitted on frequency 14.275 MHz on top of on-going communications on that frequency.
11. On July 25, 2009, at approximately 4:45 p.m., Station K1MAN transmitted on frequency 14.275 MHz on top of on-going communications on that frequency and forced

amateur stations in Spain that were engaged in a contest to relocate to frequency 14.279 MHz in order to continue the contest.

12. A schedule is regularly posted on www.K1MAN.com stating when and on which frequencies information bulletins will be transmitted over Station K1MAN.

13. Station K1MAN is programmed to automatically transmit information bulletins in accordance with a transmission schedule that is regularly posted on www.K1MAN.com.

14. The station operator for Station K1MAN always checks the frequency to be used to send a scheduled information bulletin immediately prior to transmitting the bulletin in order to determine whether that frequency is being used by other amateur radio operators.

15. Some transmissions over Station K1MAN have not been monitored by a radio control operator.

16. The July 14, 2009, July 16, 2009, July 17, 2009, and July 25, 2009, transmissions discussed in paragraph 9 of the Hearing Designation Order in this proceeding are not the only transmissions over Station K1MAN that have interrupted or interfered with the on-going communications of amateur radio operators since March 30, 2006.

17. Baxter considers the interference with the on-going transmissions of other radio operators that results from the transmission of information bulletins over Station K1MAN to be incidental interference.

18. Baxter considers the incidental interference caused to other amateur radio operators by the transmission of information bulletins over Station K1MAN in accordance with the transmission schedule that is posted on www.K1MAN.com to be acceptable.

19. Baxter has made no attempt to eliminate the interference to other amateur radio communications that is caused by transmission of information bulletins by Station K1MAN.

20. Programming has been transmitted by Station K1MAN continuously 24 hours per day, 7 days per week.

21. Programming has been transmitted by Station K1MAN over the same frequency continuously for 24 hours per day, 7 days per week.

22. Physics and/or math programming has been transmitted over Station K1MAN on behalf of the International Amateur Radio Network (IARN) and/or the American Amateur Radio Association (AARA).

23. Programming promoting membership in the International Amateur Radio Network (IARN) and/or the American Amateur Radio Association (AARA) has been transmitted over Station K1MAN.

Respectfully submitted,
P. Michelle Ellison
Chief, Enforcement Bureau



Judy Lancaster
Attorney Advisor, Investigations and Hearings Division
Enforcement Bureau

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

June 14, 2012

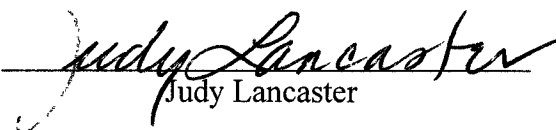
CERTIFICATE OF SERVICE

Judy Lancaster, an Attorney Advisor, in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has, on this 14th day of June 2012, sent by first class United States mail and e-mail, copies of the foregoing "Enforcement Bureau's First Request For Admissions of Fact" to:

Glenn A. Baxter
K1MAN
RR 1, Box 776
Belgrade Lakes, ME 04918
Email to: k1man14275@aol.com and Institute@K1MAN.com

and by hand-delivery to

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


Judy Lancaster