

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
)
Glenn A. Baxter)
Licensee of Amateur Radio Station)
K1MAN)

FRN 0013793849

PETITION TO DENY

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July 25, 2005

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SUMMARY OF ARGUMENT

Glenn A. Baxter (“Baxter”) seeks renewal of his amateur radio license K1MAN. Keith E. Lamonica (“Lamonica”), licensee of amateur radio station W7DXX, respectfully submits his Petition to Deny the Baxter license renewal. (“Petition”)

In his latest Notice of Apparent Liability for Forfeiture (“NAL”)¹, the Commission alleges that Baxter was “. . . interfering with ongoing communications, transmitting communications in which he has a pecuniary interest, failing to provide information the FCC has requested, engaging in broadcasting, and failing to exercise control of his station.” In spite of several such official notices, it is clear that Baxter will continue his "radio program and talk show" format (his description of transmission content), interfere with ongoing amateur radio transmissions, conduct broadcast-style one way transmissions, operate his amateur station for pecuniary interests, and intimidate and threaten those who would oppose his alleged illegal operation.

This applicant has demonstrated a lack of a propensity to comply with the law generally, an apparent willingness to violate other laws, a lack of good reputation in the amateur community (1,000 amateurs supported his removal from QRZ, the leading US amateur radio web site) and in the Broadcast radio community. This applicant has had numerous opportunities to modify his behavior, but there have been no meaningful measures taken by the applicant to prevent the future occurrence of the alleged misconduct. Based on the foregoing, continued amateur radio operation by Baxter is not in the public interest, convenience and necessity. The renewal application of Glenn A. Baxter, K1MAN, should be DENIED. Further, in light of Baxter's willful past, present, and probable future

¹ File No. EB-04-BS-111, NAL/Acct. No. 200532260001, FRN 0013164975

disregard of the Rules, Lamonica strongly proposes, that pending any possible appeal by Baxter to a denial of his license renewal, Baxter's amateur operation should be restricted to those VHF and UHF frequencies allocated for amateur radio use.²

² The Commission's authority to restrict the operating privileges of an amateur radio operator was shown in June, 1999 when the FCC's Riley Hollingsworth said the Commission would modify the license of Richard L. Whiten, WB20TK, for 120 days to prohibit operation below 30 MHz...to clear the books of any outstanding FCC enforcement issues.

natural disasters, and on that basis he states his Amateur operations perform a public service. Baxter states that he was recognized almost 15 years ago by the Maine Legislature and by his preparatory school, Vermont Academy, for his work in Amateur Radio. However, Lamonica has found no reliable sources, which document any of Baxter's so-called public service. There are, however, reports of Baxter's involvement during the Mexico City disaster written by actual health and welfare traffic handlers during the Mexico City earthquake. These reports claim that Baxter was involved in interference to traffic handling, and that Baxter actually impeded recovery work related to the disaster. It is possible that Baxter provided a public service at one time, but any service he may have provided in the past is outweighed by his present behavior and failure to address allegations of present injury and rules violations.

The IARN Amateur Information Bulletin Service began its 365 days per year transmissions on 80 and 20 meters in 1987. On January 22, 2003, there was an earthquake in Colima, Mexico that resulted in the loss of 29 lives. As soon as the earthquake was announced, Baxter activated his IARN bulletin on 14275 kHz, and began calling for "jump teams" to assemble in order to help earthquake victims. However, one phone call to the Mexican Embassy revealed that no outside assistance was needed or required.

Unfortunately, Baxter's misrepresentation of the situation, and subsequent rush to judgment, simply created confusion among global relief workers.

Baxter claims that his nonprofit organization, IARN, is the premier amateur radio disaster relief organization in the United States, despite the fact that IRS records reveal that IARN did not generate enough income to require filing taxes last year. In contrast, ARRL, a

widely recognized disaster-relief organization, generated over \$1,264,000 (one million, two-hundred, sixty-four, thousand) in donations from 16,735 donors in 2004, and the value of the ARRL's investments increased by \$375,000.

During the recent Hurricanes, Dennis and Emily, Baxter's so-called emergency radio network was notably absent from the airwaves, despite numerous declared states of emergency. Faced with the stark contrast between Baxter's statements and reality, it is evident that Baxter cannot be relied upon as a reliable reporter of fact. Based on Baxter's history of distortion of the facts, Lamonica is forced to conclude that Baxter's vision of his amateur operation as currently acting in the public interest, convenience, and necessity, is simply a mirage.

ARGUMENT

A. RENEWAL OF THE BAXTER LICENSE WILL CAUSE INJURY

1. Baxter operates his amateur radio station without regard for interference to other amateur radio stations.

According to the Baxter Internet homepage,⁴ the Baxter "radio talk show" claims the exclusive use of three HF frequencies allocated to the amateur radio service.

"New K1MAN daily 90 minute bulletin service schedule: 3.975 LSB and 14.275 MHz. USB at 5 A.M., 9 A.M., 1 P.M., 5 P.M., 9 P.M., and 1 A.M. Also, 3.890 MHz. amplitude modulation at 7:00 P.M., all Eastern local."

The transmitted material is a 90-minute program played repeatedly throughout the week on several frequencies. Baxter's posted schedule totals 10 hours, 30 minutes per day, or over 100 hours weekly.⁵ The program content has generally consisted of unaccredited, copyrighted material from the American Radio Relay League (ARRL) and unauthorized

⁴ www.k1man.com

⁵ This schedule alone begs the question, is there a control operator present?

recordings of other material. Baxter's programs have waged continual attacks against those who have reported his alleged violations to the Commission. Baxter has given Notice to all and sundry that the frequencies posted on his Internet web page are for his exclusive use during his 100+ hour week of "amateur talk-radio shows."

Baxter has stated that he does not monitor the frequencies for ongoing transmissions before beginning his taped shows. Often, Baxter's talk show interferes with ongoing conversations when his pre-recorded show begins.

In addition to his alleged interference with the Salvation Army Team Emergency Radio Net, Baxter interfered with the Boy Scout's Jamboree On The Air (JOTA), and he threatened to sue all those who were operating on "his" talk show frequency.

*"As one of the Scouts, I set up the day before on 14.270 for Jamboree on the Air. KIMAN came on the air on the hour with a prerecorded message. The next day, right in the middle of Jamboree, the same message came on at the same time. I simply moved down the band. A fairly rare location moved also and took time to talk to the Scouts individually (asked not to be spotted on the DX Cluster). These guys probably set up a station for the next weekend which would cost more than 10 of us would make in a lifetime. They sent QSL cards to every Scout they worked, in care of the control operators. What a great example this was to the Scouts. When I heard that KIMAN was suing the Scouts for interfering with his bulletins, I personally wrote to FCC about the bad example he set for ham radio in general. The only thing the Scouters asked was for him to move up 10. They did not know they were talking to a station with no control operator present. I also asked local hams and 3 ARRL Clubs to send letters about his operating practices."*⁶

In another interference incident, Frederick H. Kleber (K9VV) reported Baxter's interference to health and welfare traffic handling during the Mexico City earthquake disaster:

"During the third or fourth day of passing health and welfare traffic during the Mexico City disaster, Mr. Baxter appeared on the primary net frequency and began to disrupt communications. I vividly recall my frustration due to the interference he created by

⁶ Posted at www.qrz.com by one of the Boy Scouts. Baxter regularly claims he will sue anyone involved with interference to his bulletin.

insisting he speak with me, even though it was evident that I was passing traffic. Baxter insisted that his station serve as net control, in spite of being politely informed that his assistance was not needed. Baxter's interference became so disruptive that I ultimately called him on the telephone.

Carlos (XE1HC) and I were speaking in Spanish, and we discussed how to avoid Baxter's interference. Baxter was insistent on gaining control of the frequency and running net operations. In between Baxter's transmissions, Carlos and I managed to communicate, and to change to another traffic frequency. Once we moved to a new frequency, we were able to resume passing traffic. Baxter followed us to our new frequency and interrupted us, just as he had before. Carlos and I were forced to change frequency several times in order to avoid Baxter's interference. Each time, Baxter would show up shortly thereafter and continue to try to gain control of net operations. Becoming increasingly frustrated with Baxter's interference, I telephoned him again. I attempted to explain to Baxter that he was interfering with a health and welfare operation. He did not listen and he interrupted me frequently. In frustration, I finally hung up and returned to handling health and welfare traffic.

The health and welfare traffic operation lasted approximately a week. During that period, my partners and I (NJ7E, XE1HC, W9GIG and W7MY) were able to pass approximately 7,000 pieces of health and welfare traffic. On numerous occasions over this period, Mr. Baxter operated his radio station in a manner that created interference to an established Mexico City earthquake relief health and welfare net. Mr. Baxter was a constant hindrance to the operation and he later attempted to leverage publicity from the disaster (often inaccurately reported) for his personal gain. In subsequent "press releases," Mr. Baxter attacked the actual participants of that health and welfare net."

2. Baxter operates his amateur radio station to threaten others.

Baxter has threatened amateurs who use or intend to use "his" frequencies prior to his "show," stating that by operating on one of "his" frequencies, amateurs will be in criminal violation of Section 333 and 501 of the Communication Act of 1934. Further, he has stated that these amateurs are guilty of felonies under the "Goldwater Act" and Baxter has in fact sent out felony complaint affidavits to amateurs. After he was told to discontinue this practice by the FCC and the Department of Justice, he encouraged other Amateurs to send similar felony complaint affidavits to the Department of Justice in Washington, D.C. and he published an affidavit form letter on his web page to help facilitate this procedure

In 1995, Jay McCloskey, the U.S. Attorney at the Maine Department of Justice wrote to Baxter, telling him,

"It is against the law to write and mail this type of threatening communication, especially when it has no basis in fact. If you continue sending this type of letter, you may be subject to Federal criminal charges for misrepresentation and for using the mails to make threats. You may also jeopardize your amateur radio license; the FCC can use evidence of this type of conduct to demonstrate that you no longer meet the character requirements for a licensee."

In 1995, FCC Counsel John Greenspan wrote to Baxter, stating:

"Your reply suggests to me that you may very well lack the character qualifications to be an FCC licensee. You certainly lack the maturity, but that is, unfortunately, not grounds for revocation. If it is ultimately determined that you have made improper threats, that determination could result in a hearing to examine your fitness to remain an FCC license and/or criminal prosecution."

The McCloskey and Greenspan letters did not put an end to Baxter's threats.

K1MAN BULLETIN B041105A (November 5th, 2004)

ARRL ADDED TO K1MAN's FEDERAL LAWSUIT AGAINST K3VR, K1KW, AND K4ZDH

The American Amateur Radio Association, AARA, announced today that the ARRL is being added as Defendants in the 16 October 2004 Boy Scout interference incident. Other Defendants will also be added, according to AARA Executive Director Glenn Baxter, K1MAN. "We are still investigating the case and collecting many sworn statements. Any possibly culpable hams who come forward as a witness for the Plaintiff will receive amnesty from prosecution, Mr. Baxter said today in a brief interview. I am a Professional Engineer, not an attorney, but I would suggest that hams should not rely on attorney Riley Hollingsworth, K4ZDH, since he is the PRIMARY Defendant (personally) in this civil action. We are seeking ten million dollars in damages and also a Court writ of mandamus to ORDER the Justice Department to prosecute the criminal side of this Sections 333 and 501 matter. It is quite interesting to note that October 16, 2004 is exactly three years, to the day, of K1MAN amateur bulletins returning to the air after my two year sabbatical teaching high school chemistry, physics, and math," Mr. Baxter said." For the latest information on this federal lawsuit go to www.k1man.com and click on "Breaking News."

3. Baxter operates his amateur radio station to injure others.

a. Walter L. Cronkite, Jr. (KB2GSD) is the well-known broadcast journalist, but even he is not immune from injury caused by Baxter's amateur radio operation. On January 23, 2003, Walter Cronkite's attorney wrote to Baxter asking him to stop using Walter's voice ID over K1MAN's bulletin.

"Mr. Cronkite previously requested that you refrain from any further use of the audiotape, or from any suggestion that he endorses your station, Association, or other operations." Ronald S. Konecky went on to call Baxter's actions "a violation of Mr. Cronkite's rights, totally improper, and a cause of serious damage to his name and reputation."

The misleading announcement played on Baxter's show:

Baxter's voice: "Walter Cronkite, KB2GSD, keeps informed about Amateur Radio events by listening to the International Amateur Radio Network and supports AARA, the American Amateur Radio Association, Walter?"

Cronkite's voice: "You are listening to the International Amateur Radio Network. This is K1MAN."

Despite the request to stop using Cronkite's voice by Mr. Cronkite's attorney, Baxter continues to cause injury by using the audiotape, leaving listeners with the false impression that Mr. Cronkite endorses Baxter's amateur radio operation.

b. Brian L. Crow (K3VR) is an educational consultant and an amateur radio operator. He has been repeatedly injured within the context of K1MAN's transmitted bulletin, on Baxter's website, in Baxter's AARA newsletter, and in email distributed by Baxter. The FCC has also documented Baxter's interference to Mr. Crow's communications. The interference referenced in the present NAL, twice discusses interference to communications in which Mr. Crow was a party.⁷

⁷ On December 8, 2004, FCC agents found that Baxter's station K1MAN commenced transmitting at 7:10 p.m. EST on top of existing radio communications on 3.890 MHz. On March 31, 2005, at 7:28 P.M. EST, monitoring personnel observed transmissions from station K1MAN begin on top of existing communications on 3.890 MHz.

Injury to Mr. Crow's reputation suffered when Baxter posted on his website, and read over the air, the following false and misleading statement regarding a number of hams who were communicating with Boy Scouts on 3890 kHz during the Boy Scouts "Jamboree on the Air" on October 16, 2004. Mr. Crow and Mr. Charles O'Neal (another amateur) are just two parties injured by a statement Baxter read over his show and published on his web page:

"I can be of some help to the government with regard to 16 October 2004, however. I have sworn witnesses who personally observed a conspiracy to maliciously interfere with K1MAN transmissions on 16 October 2004. Such is a felony under Sections 333 and 501 of the 1934 Communications Act. A civil lawsuit, therefore, is currently being filed in Federal District Court against K1KW, K3VR, and K4ZDH, personally, regarding this alleged conspiracy. The suit, among other things, seeks a writ of mandamus to ORDER the Justice Department to vigorously prosecute the criminal side of this matter, namely criminal violations of these hams and several other hams of Sections 333 and 501 of the 1934 Communications Act."

Baxter falsely stated that Mr. Crow was a member of the American Nazi party, both on the air and on his website. Baxter also falsely stated that felony charges had been filed against Mr. Crow because he operated on a frequency Baxter intended to occupy. Even though Baxter has been warned many times previously by the Commission, about making threats toward other amateurs, and warned by the Justice Department that the interference he alleges is not a felony over which they have jurisdiction, Baxter has repeatedly defied the Department of Justice's and the Commission's official notices, and he has continued to level threats against amateurs who have complained to the Commission about his alleged rules violations.

Mr. Baxter's actual intentions were revealed to Mr. Crow in a libelous email to him, which was distributed to the FCC and to several others. Mr. Baxter sent the following email on December 10, 2004:

“Brian,

Your wife and kids left you, and you sit there in your tiny little apartment... When I sue you, it is not personal. It is business. You actually help me by generating publicity which is needed to counter the publicity generated by Riley. Thanks for that! I look forward to a major legal confrontation with Riley, I really do. I am afraid the war is lost for him (and you), however, What he has done so far makes perfect sense. A renewal battle makes no sense. The administrative legal procedure (thanks for the summary you sent) is beautiful. I would be as happy as a pig in shit with that one. A lot of new administrative ground would be broken as well. There would be lots of new case law generated. I would love it, really. 73 and GL de KIMAN.”

Mr. Baxter stated in the email, that his true motivation in threatening lawsuits against other amateurs, is the enhancement of his business. This statement completely supports the FCC’s contention that Mr. Baxter uses his radio with a pecuniary interest.

The facts are these: Mr. Crow has never interfered with K1MAN’s transmissions; Mr. Crow is happily married; and Mr. Crow resides with his wife and children in his family home as he always has. These injuries are particularly egregious in light of the fact that Mr. Crow derives a portion of his income from providing counseling to troubled families.

William R. Hollingsworth of the FCC wrote to Amateurs concerned about the injurious alleged “felony suit” against Mr. Crow:

“Mr. Crow shared your e mail question regarding a "felony suit" with us. Baxter has been warned about filing such "felony suits", and indeed if one was filed, which I doubt, the Justice Department would contact us and refer it to us. It is not a felony to remain on the frequency when K1MAN broadcasts start up, because K1man has no right to "reserve" a frequency any more than anyone else does. The threats of so-called "felony suits" are thinly disguised and juvenile attempts at intimidating Amateur operators who have a perfect right to use the frequency, and Baxter knows that. Thanks, and feel free to contact me if you need more information.”

c. Keith E. Lamonica (W7DXX) whose credentials are a Matter of Record with the Federal Communications Commission has testified as an Expert Witness on communications matters before the House of Representatives, the Senate of the United States, Federal District Court, the Federal Communications Commission and various

other jurisdictions. Lamonica has been an FCC licensee for almost 50 years, holding both Radio-Telephone First Class license (Now referred to as a General Radio-Telephone License) and an amateur radio license. (W7DXX) Lamonica has also been subjected to continual abusive injury from Baxter.

In 1999, Lamonica co-developed with Robert Arnold, N2JEU, the world's first Internet controlled amateur radio station. By 2002 the W7DXX Internet remote base station had over 1500 control operators worldwide and had received much publicity in the amateur radio journals. Lamonica and his associates were also honored with the ARRL Technical Innovation of the Year Award.

Baxter telephoned Lamonica stating that he "had some questions about the legality of the W7DXX remote base (concept)." Lamonica spent almost one hour on the telephone with Baxter discussing the remote base and amateur radio issues in general. Much to the surprise of Lamonica, Baxter taped the telephone conversation and a highly edited version was broadcast continually over amateur radio frequencies.

Lamonica telephoned Baxter and requested that the unauthorized broadcasts of the telephone conversation cease at once. Baxter ignored the request and continued to broadcast the telephone conversation for one week, which implied Lamonica endorsed the Baxter "radio talk show."

Lamonica again telephoned Baxter and stated, "If the unauthorized broadcasts did not immediately cease, a formal complaint would be made to the FCC." The response by Baxter was a campaign of over the air and web page attacks against Lamonica. Baxter continues to send a barrage of unsolicited SPAM-type email to Lamonica in which he

promises to continue his programming and attacks upon those who would challenge his amateur radio talk show.

It is important to note that Baxter continued his practice of airing unauthorized telephonic conversations even though he was warned in a letter from the FCC's Riley Hollingsworth that such practice could designate a Baxter license renewal for an evidentiary hearing.

April 14, 2004 letter to Baxter from Hollingsworth:

"An adverse finding in regard to threats to complainant licensees, or violation of state law regarding recording and broadcasting telephone conversations, would lead to enforcement action against your license and would be sufficient to designate your renewal application for an evidentiary hearing to determine if you are qualified to remain a Commission licensee. You would have the burden of proof in such a proceeding."

Lamonica's communications have often been interfered with when Baxter "Radio Talk Show" transmissions began while Lamonica was participating in an ongoing communication.

d. Charles D. O Neal III (K1KW) is an inventor and businessman as well as an amateur radio operator. He appeared on the cover of a popular Amateur Radio magazine (CQ) on two occasions for meritorious work in the amateur service. Numerous complaints of K1MAN's interference to Mr. O Neal's communications are on record with the FCC. Baxter injured Mr. O Neal's reputation over the air, on Baxter's website, and in Baxter's AARA email Newsletter, where Baxter falsely described Mr. O Neal as an American Nazi Party member. Baxter also falsely stated that Mr. O Neal was guilty of a felony because he operated on frequencies Baxter intended to occupy. Baxter also falsely stated, "Federal criminal charges have been filed against K1KW." Mr. O Neal has been repeatedly injured by K1MAN as a result of his opposition to Baxter's apparent rules violations.

B. BAXTER DOES NOT POSSESS THE CHARACTER QUALIFICATIONS TO BE AN FCC LICENSEE.

1. Baxter knowingly and willfully continues to operate his amateur radio station contrary to the Rules and Regulations of the Federal Communications Commission.

Baxter acknowledges the receipt of three previous NALs served on him by the Commission. Among other things, the latest NAL, accuses him of operating his amateur radio station with a pecuniary interest, and interfering with ongoing transmissions. As of this writing, Baxter willfully ignores the present NAL and continues to interfere with ongoing transmissions. In late June Baxter was heard on 3890 KHz endorsing the use of his VISA cards, stating his belief that they were a better value than other credit cards offered. Baxter also continues to challenge the Federal Communications Commission and anyone else who opposes the continued practice of Baxter promoting the K1MAN website, and the continued practice of starting the K1MAN "show" over ongoing communications, calling them "ignorant hypocrites," and "scum" on the K1MAN "talk show" and website.

2. Baxter has demonstrated a lack of character qualifications while employed under his General Radio-Telephone commercial license.

In December of 2003, Baxter was fired from his duties at a broadcast radio station owned by Mr. Ray Bouchard in Augusta, Maine. When he applied for unemployment compensation, the attorney for the station advised his clients not to attend the unemployment hearing.

"Because Mr. Baxter has demonstrated offensive behavior similar to that which prompted his termination, I have advised the Bouchards not to attend Monday's hearing. I indicated to you in our conversation that the Bouchards' fear for their safety as a result of Mr. Baxter's threatening behavior. Mr. Bouchard terminated Mr. Baxter from employment when Mr. Baxter repeatedly acted in a threatening manner to his supervisor and to other employees at the job site. Mr. Baxter demonstrated his inability to act

responsibly and to exert self-control at the last hearing . . . Payments of benefits to Mr. Baxter is a lesser evil than someone being harmed by him."⁸

3. Baxter operates his amateur station with a pecuniary interest.

Baxter has an ongoing pecuniary interest in the operation of his station, which is in direct contradiction to FCC rules. Throughout Baxter's show, he continually refers to two businesses in which he is a principal. Baxter is the Director of AARA and the Network Manager of IARN, which is a 501©3 Corporation. Baxter routinely identifies his show by saying, "You are listening to the International Amateur Radio Network" and "AARA, the American Amateur Radio Network." After identifying his show with the names of his businesses, Baxter gives out IARN's business telephone number. Next, K1MAN plays an unauthorized recording of Walter Cronkite's voice saying, "You are listening to K1MAN." Finally, as the present NAL indicates, Baxter directs his listeners to his website www.k1man.com where his businesses offer many items for sale. Baxter's bulletin is simply and clearly a 90-minute advertisement and promotional vehicle for IARN and AARA.

Included on the K1MAN radio talk-show program are continual references to the K1MAN homepage, where such items as a VISA card, lifetime membership to Baxter's association, subscription to a paid newsletter, and even educational diplomas are offered for sale. The FCC Warning Notice of September 15, 2004 warned Baxter about use of his Amateur station for pecuniary interests, in violation of Sections 97.113(a)(2) and (3). Baxter was warned that if not corrected, this practice would lead to enforcement action

⁸ Robert J. Stolt, Esq. of Lipman, Katz & McKee

against his licenses and/or designation of his renewal application for a hearing to determine if he is qualified to remain a licensee.

4. Baxter has misrepresented himself in attempts to legitimize his operations

Injury to Walter Cronkite has been documented above. Part of the injury to Mr. Cronkite results from Mr. Baxter's misrepresentation of his relationship with Cronkite and the implication that Cronkite endorses his station, Association, and other operations.

Baxter also misrepresented himself as being affiliated with Collins Radio. Fred Kleber (K9VV) reported the following to the Commission:

"I noted in Baxter press releases that Baxter appeared to be affiliated with the Collins Radio Company, "Collins". The Collins logo was prominently displayed in the upper right corner of a press release dated October 8, 1995. In another undated press release providing details of Baxter's appeal of the AM power reduction proposal, the Collins logo is also displayed in the upper right corner.

I retained an attorney who contacted Collins to investigate the relationship, if any, between Baxter and Collins. I received acknowledgement of the receipt of my inquiry in a letter from J.P. Riley, Assistant General Counsel for Collins. Shortly thereafter, I received correspondence again from J.P. Riley of Collins stating that:

- *Collins Radio Company employed Baxter for about 1.5 years in 1968 and 1969.*
- *Collins "never had a dealer agreement or a service agency agreement with Mr. Baxter."*
- *Rockwell "in no way authorized or approved the October 8, 1985 press release that was issued by Mr. Baxter."*

Rockwell sent Baxter a letter demanding that he "immediately discontinue use of any Rockwell or Collins mark or logo on his business cards, stationery, press releases or other material." [Note - Collins was subsequently acquired, or merged with, Rockwell International Corporation, "Rockwell".]

Rockwell later provided a copy of the cease and desist letter, which they had sent to Baxter.

CONCLUSION

Mr. Baxter has been warned by the Commission regarding his alleged numerous rules violations. He has been warned about his threatening behavior by both the Commission, and the U.S. Department of Justice. Baxter has been warned by two United States Attorney's from the Department of Justice; by the Attorney's for Walter Cronkite; by two

FCC Attorney's; and by the Attorneys for Rockwell Collins, regarding his various misrepresentations. Baxter acknowledges receiving a total of four NALs from the Commission. Baxter has been duly informed that continuance of these behaviors will result in a hearing to determine his fitness to remain a Commission licensee.

In spite of these warnings, over a period of twenty years, Mr. Glenn A. Baxter, licensee of amateur radio station K1MAN, has demonstrated a continuous contempt for the rules and the authority of the Commission, and a substantial, continued disregard for those same rules. Further, Baxter has continued to cause injury to others, using radio as an instrument to inflict injury. Baxter's notorious lack of reputation for good character in the community, his history of alleged rules violations, his documented contempt for the Commission's authority, his demonstrable history of misrepresentation, and his injury to others, combined with his complete lack of willingness to take any meaningful measures to prevent injury from occurring in the future, all indicate) that Baxter should be precluded from remaining a Commission licensee. Based on this licensee's history, it is virtually certain that he will continue to violate the Commissions Rules and will continue to cause further injury, if his amateur radio license is renewed.

THEREFORE, Baxter's application for renewal of his amateur radio license should be DENIED, and, pending any possible appeal by Baxter, his amateur radio privileges should be restricted to those VHF and UHF frequencies authorized for amateur radio use.

Respectfully submitted,

Keith E. Lamonica, W7DXX

July 25, 2005

CERTIFICATE OF SERVICE

I, Keith E. Lamonica, do hereby certify that I have this date served a true and correct copy of the Petition to Deny upon the following by postage-paid United States mail:

Mr. Glenn A. Baxter
RR 1 Box 776
Belgrade Lakes, ME 04918

Keith E. Lamonica

July 25, 2005