

Accepted/Filed

NOV 12 2013

FCC Office of the Secretary

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

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 Dortch, Secretary
Federal Communications Commission

Attention: Richard L. Sippel
Chief Administrative Law Judge

ENFORCEMENT BUREAU'S STATUS REPORT

1. By Memorandum Opinion and Order, FCC 13M-20 (released October 28, 2013) ("MO&O"), the Presiding Judge responded to a request by the Enforcement Bureau (Bureau) to stay this proceeding in order to process Mr. Baxter's renewal application¹ under 47 C.F.R. § 1.1910, commonly known as the "Red Light Rule." The MO&O required that Mr. Baxter be served with a new notice that conforms to the requirements of Section 1.1910(b)(2) before his application is processed under the Red Light Rule. The MO&O also required the Bureau to file a status report on or before November 4, 2013, that either (1) notifies the Presiding Judge of the date and means by which Mr. Baxter was officially informed by the Commission of the delinquency of his debt or (2) details the steps the Bureau has taken to that end.²

2. On November 7, 2013, the Office of the Managing Director ("OMD") mailed Mr. Baxter an updated Notice of Withholding of Action ("Updated Notice"), pursuant to Section

¹ FCC File No. 0002250244 (filed July 22, 2005). Mr. Baxter's renewal application states his address as "RR 1 Box 776, Belgrade Lakes, ME 04918."

² *Glenn A. Baxter*, Memorandum Opinion and Order, FCC 13M-20 (Oct. 28, 2013).

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1.1910(b)(2) of the Commission's rules regarding payment of his delinquent debt.³ A copy of the Updated Notice is attached. The Updated Notice was mailed to Mr. Baxter's address of record, and copies of it were mailed to two of Mr. Baxter's last known addresses. Such mailings comply with the service requirements of Sections 1.5 and 1.47 of the Commission's rules,⁴ 47 C.F.R. §§ 1.5, 1.47. Section 1.47(f) of the Commission's rules, 47 C.F.R. § 1.47(f), provides that "[s]ervice by mail is complete upon mailing." Consequently, Mr. Baxter has been served with an Updated Notice, as required by the Red Light Rule and the MO&O and, thus, has been notified that within 30 days of the mailing date of the Updated Notice, he must pay or make arrangements to pay the \$10,000 Judgment entered against him on September 10, 2012, by the U.S. Court of Appeals For the First Circuit,⁵ or his pending renewal application may be dismissed.

Respectfully submitted,
P. Michele Ellison
Chief, Enforcement Bureau


Judy Lancaster
Attorney
Investigations and Hearings Division

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

November 12, 2013

³ See Notice of Withholding of Actions from Cheryl A. Collins, FCC Revenue and Receivables Operations Group, to Glenn A. Baxter (Nov. 7, 2013). See also *United States v. Glenn A. Baxter*, Judgment, No. 12-1196 (1st Circuit Sept. 10, 2012) (confirming \$10,000 Summary Judgment for violation of the Commission's rules).

⁴ Section 1.5(a) of the Commission's rules requires each licensee to "furnish the Commission with an address to be used by the Commission in serving documents or directing correspondence by the licensee. Unless any licensee advises the Commission to the contrary, the address contained in the licensee's most recent application will be used by the Commission for this purpose."

⁵ See *supra*, note 3.

ATTACHMENT

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

NOV 7 2013

OFFICE OF
MANAGING DIRECTOR

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

Re: Call Sign K1MAN
ULS Transmittal or Application #:
0002250244

NOTICE OF WITHHOLDING OF ACTION

The Federal Communications Commission (FCC) has received the above referenced application through the Universal Licensing System from Glenn A. Baxter, the registrant of FCC Registration Number (FRN) 0013164975.

Under 47 C.F.R. § 1.1910(a)(1), we examine applications (including a petition for reconsideration or any application for review of a fee determination) and requests for authorization to determine if the applicant has paid the appropriate fee or is delinquent in a debt owed the Commission. Our records show you are delinquent on the payment of the following debt(s) owed to the FCC:

<u>Bill Number</u>	<u>Amount</u>	<u>Debtor FRN</u>	<u>Debtor Name</u>
200532260001	\$10,000.00	0013164975	Glenn A. Baxter

Furthermore, we are informed that on February 1, 2013, the United States Department of Justice demanded that you pay the judgment by the Maine District Court in the case, *United States v. Glenn A. Baxter*, 841 F.Supp.2d 378 (D.Me. 2012), the judgment of which the United States Court of Appeals for the First Circuit affirmed on September 10, 2012. All judicial and administrative appeals of the basis for the debt have concluded. The debt is delinquent as a matter of law.

Accordingly, this notifies you that under 47 C.F.R. § 1.1910(b), the Commission will withhold action on your application filed or pending until you make full payment or arrange to pay the non-tax delinquent debt(s) owed the Commission, and the Commission may dismiss your application filed or pending, if your debt remains delinquent. Furthermore, under 47 C.F.R. §1.1910(b)(3), if you do not pay the delinquency or make other arrangements satisfactory to the Commission within 30 days of the date of this notice, the Commission will dismiss your application. Moreover, any action taken prior to the payment of delinquent non-tax debt is contingent and subject to rescission.

If you fail to make payment on the delinquent debt, we may initiate collection action, which under applicable law includes: assessing interest, penalties, and administrative charges for collection (31 U.S.C. § 3717), reporting debt information to commercial credit reporting entities (31 U.S.C. § 3711), transferring the debt to the U.S. Department of Treasury for collection (31 U.S.C. § 3711), and applying administrative offset to collect amounts due (31 U.S.C. § 3716).

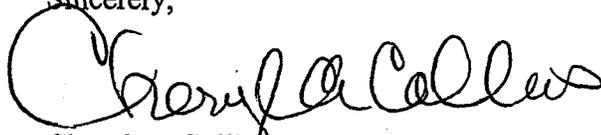
Any additional applications or requests for benefits from the FCC or its reporting components, including but not limited to support from the Universal Service Fund, payments from the Telecommunications Relay Services Fund, or the issuance of telephone numbers from the North American Numbering Plan administrator, will be reviewed to determine if any delinquent debts are outstanding.

If you have any questions regarding this Notice, please contact us in writing by email at ARINQUIRIES@FCC.GOV or at the following address:

Federal Communications Commission
Attn: Revenue and Receivables Operation Group
445 – 12th Street S.W., Room 1-A821
Washington, DC 20554

You are required to remit your payment to the address noted on the bill(s) referenced above, or you may submit payment via the FCC's FEE Filer, which is located at www.fcc.gov/fees/feefiler.html. Copies of bills (Form 159B) can be printed from the FCC's Fee Filer site as well as from the Red Light Display site located at www.fcc.gov/redlight/. If you believe that this notice has been mailed to you in error, please contact the CORES Help Desk at 1-877-480-3201 (option 4) or send an e-mail to ARINQUIRIES@FCC.GOV with all information to support your dispute.

Sincerely,



Cheryl A. Collins
Revenue and Receivables Operations Group

Copies furnished:

Mr. Glenn A. Baxter
310 Woodland Camp Road
Belgrade, Maine 04917

Mr. Glenn A. Baxter
310 Woodland Camp Road – Box 440
Belgrade Lakes, Maine 04918-0440

Certificate of Service

I certify that I am of legal age and that on the date indicated above, a copy of the foregoing Notice was placed in the United States mail, postage prepaid and addressed as indicated to each of the above addressees. This the 7th day of November, 2013.

SB Foster

CERTIFICATE OF SERVICE

I, Judy Lancaster, an attorney in the Enforcement Bureau's Investigations and Hearings Division, hereby certify that on this 12th day of November, 2013, true and correct copies of the foregoing document, ENFORCEMENT BUREAU'S STATUS REPORT was served via first-class mail, postage prepaid, and by email upon

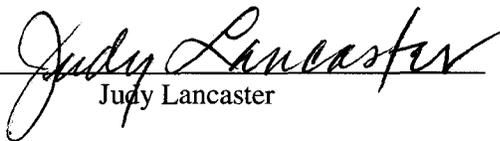
Glenn A. Baxter
K1MAN
RR 1, Box 776
Belgrade Lakes, ME 04918 *
Email to: k1man14275@aol.com and Institute@K1MAN.com

Glenn A. Baxter
310 Woodland Camp Road
Belgrade, Maine 04917 **

Glenn A. Baxter
310 Woodland Camp Road – Box 440
Belgrade Lakes, Maine 04918-0440 **

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
Email to: Mary.Gosse@fcc.gov



Judy Lancaster

* Mr. Baxter's address of record.

** A last known address of Mr. Baxter.