



Federal Communications Commission
Washington, D.C. 20554

September 1, 2004

Mr. David Shpigler
Electric Broadband, LLC
15 North Mill Street
Nyack, NY 10960

Dear Mr. Shpigler:

This is in reference to Electric Broadband's experimental license WB9XVP granted January 12, 2004, and modified March 15, 2004. Condition six of the license requires the filing of a progress report every six months from the date of the grant. The first report was due July 12, 2004. We have not received that report. While your license was modified on March 15, 2004, to add additional sites, that modification does not change the report filing date.

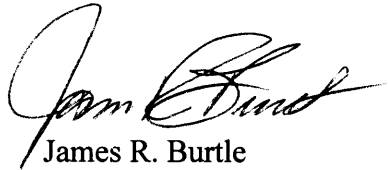
Further, all experimental authorizations are subject to the condition in Section 5.111(a)(2) of the Commission's rules that they not cause harmful interference to licensed operations. The Commission has received several complaints alleging that operations under this experimental license are causing interference to amateur radio operations. In addition, on August 16, 2004, we received a Request for Immediate Cessation of Operation and Revocation of Special Temporary Authorization from the National Association for Amateur Radio (ARRL) via its attorneys. This request was filed as a result of alleged harmful interference to local amateur operations in the Cottonwood area from your broadband over powerline operations. The ARRL's request was forwarded to you on August 19, 2004.

By this letter, we are reminding Electric Broadband that its progress report is due and are requiring that it be submitted by September 16, 2004. This report should also include a summary of Electric Broadband's efforts toward investigating and resolving the alleged interference, including a report of all measurements made of the system's operations and steps taken to ensure that interference does not occur.

Failure to respond may result in the cancellation of Electric Broadband's experimental license, WB9XVP. Pursuant to Sections 5.73, 5.111, and 5.123 of the Commission's rules, you are required to send your response to the Commission to my attention at the above address and to the ARRL c/o Chris Imlay, 14356 Cape May Rd., Silver Spring MD 20904, e-mail BFITPC@aol.com. Because of mail delays that the Commission occasionally experiences as a result of necessary security procedures, please also e-mail

a copy of the response to me at james.burtle@fcc.gov. Receipt of an e-mail copy of your response by the date requested will comply with the 15 day requirement.

Sincerely,

A handwritten signature in black ink, appearing to read "James R. Burtle". The signature is fluid and cursive, with a large initial "J" and "B".

James R. Burtle
Chief
OET/ Experimental Licensing Branch

cc: Chris Imlay, attorney for ARRL