

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

In the Matter of)
)
JOHN H. GRONEMEIER)
Licensee of Stations WPAX683, WPJQ444,)
WPKC396, WPLQ443, WPME992, WPML737,)
WPMR925, and WPPV766)
)
DEMINIMIS, LC)
Licensee of Station WIM692)

ORDER OF MODIFICATION

Adopted: January 31, 2013

Released: February 1, 2013

By the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau:

1. *Introduction.* In this *Order of Modification*, we modify the private land mobile radio (PLMR) licenses of John H. Gronemeier and DeMinimis, LC (collectively, Gronemeier) for Stations WIM692, WPAX683, WPJQ444, WPKC396, WPME992, WPML737, WPMR925, and WPPV766 by deleting locations at Quimby Ridge in San Jose, California. As explained below, we take this action pursuant to an earlier order proposing to modify Gronemeier's licenses.¹

2. *Background.* On June 6, 2011, the Commission received correspondence from Michael Boesch and Kathleen Tirri (the Boesches) stating that they own the property at Quimby Ridge, and Mr. Gronemeier had no legal right to operate PLMR stations at that location.² On June 8, 2011, the Wireless Telecommunications Bureau's Mobility Division sent Gronemeier a letter inquiring about the construction and operational status of the above-captioned stations and Gronemeier's legal authority to operate them at Quimby Ridge.³ Gronemeier replied on July 18, 2011 that the stations operated at Quimby Ridge pursuant to a verbal agreement between Mr. Gronemeier and the Boesches' deceased parents.⁴ The response also stated that the Boesches had cut off the power to the site and prevented Gronemeier from accessing it since February 2011, and seized the station equipment in March 2011. Mr. Gronemeier stated that he was in negotiations with the Boesches, and would modify the licenses to remove or relocate the Quimby Ridge sites if no agreement was reached. Subsequent attempts by Commission staff to contact him to discuss the status of the licenses were unsuccessful.

¹ John H. Gronemeier, *Order Proposing Modification*, 27 FCC Rcd 12056 (WTB MD 2012). The *Order Proposing Modification* also proposed to modify the license for Station WPLQ443, but that license has expired.

² Letter dated June 6, 2011 from Michael Boesch and Kathleen Tirri to Scot Stone, Deputy Chief, Mobility Division, Wireless Telecommunications Bureau.

³ Letter dated June 8, 2011 from Scot Stone, Deputy Chief, Mobility Division, Wireless Telecommunications Bureau to John Gronemeier. Other licenses addressed in the June 8, 2011 letter have since expired.

⁴ Letter dated July 18, 2011 from John H. Gronemeier to Scot Stone, Deputy Chief, Mobility Division, Wireless Telecommunications Bureau.

3. Section 90.157(a) of the Commission's Rules provides that a PLMR station authorization cancels automatically upon discontinuance of operation for a period of one year or more.⁵ The information in the record indicated that Gronemeier's stations had not operated at Quimby Ridge for over a year. Consequently, we proposed to modify Gronemeier's licenses to delete the Quimby Ridge locations.

4. *Discussion.* The *Order Proposing Modification* was released on October 1, 2012. Gronemeier did not protest the proposed modification of his licenses within the requisite thirty-day time frame.⁶ Accordingly, he is deemed to have consented to the proposed modifications.⁷ Based on the record before us, we conclude that it is in the public interest to modify the licenses of John H. Gronemeier and DeMinimis, LC for Stations WIM692, WPAX683, WPJQ444, WPKC396, WPME992, WPML737, WPMR925, and WPPV766 by deleting locations at Quimby Ridge in San Jose, California.

5. *Conclusion.* For the reasons stated above, we conclude that the Quimby Ridge facilities should no longer be authorized under the above-captioned call signs. Accordingly, we modify these PLMR licenses by deleting the following locations: WIM692 – location 1, WPAX683 – location 1, WPJQ444 – location 1, WPKC396 – location 1, WPME992 – location 1, WPML737 – location 1, WPMR925 – location 1, and WPPV76 – location 1.

6. ACCORDINGLY, IT IS ORDERED, pursuant to Sections 4(i) and 316(a) of the Communications Act of 1934, 47 U.S.C. §§ 154(i), 316, and Section 1.87 of the Commission's Rules, 47 C.F.R. § 1.87, that the licenses for Stations WIM692, WPAX683, WPJQ444, WPKC396, WPME992, WPML737, WPMR925, and WPPV766 BE MODIFIED as set forth in paragraph 5, *supra*.

7. IT IS FURTHER ORDERED that this *Order of Modification* shall be sent by certified mail, return receipt requested, to John H. Gronemeier, P.O. Box 24803, San Jose, CA 95154; John H. Gronemeier, 1584 Branham Lane, #186, San Jose, CA 95118-2290; John H. Gronemeier, 4718 Meridian Ave., #186, San Jose, CA 95118-2327; John H. Gronemeier, P.O. Box 951, Mi Wuk Village, CA 95346; and DeMinimis, LC, P.O. Box 951, Mi Wuk Village, CA 95346-0951, Attn: Comm Manager.

8. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Scot Stone
Deputy Chief, Mobility Division
Wireless Telecommunications Bureau

⁵ See 47 C.F.R. § 90.157(a); see also 47 C.F.R. § 1.955(a)(3).

⁶ See 47 C.F.R. § 1.87(g)(1).

⁷ See 47 C.F.R. § 1.87(h).