

FCC Enforcement Letters

August 10, 2004

(name withheld)
(Address withheld)
Friendswood, TX 77546

RE: Radio frequency interference; Enforcement Case # EB-2004-2568

Dear (name withheld):

Thank you for your letter received July 16, 2004. Your letter was in response to two letters sent to you concerning radio interference from your home to a licensed operator in the Amateur service, dated May 26 and June 24, 2004. The interference is being experienced by Mr. William G. Cooper, 1111 Tall Pine Drive.

While we appreciate the your explanation of what can only be described as an unfortunate neighborhood situation, the fact remains that Commission rules prohibit the operator of any Part 15 device from causing harmful interference to a licensed radio service. A certificate of compliance with FCC regulations, and the neighborhood situation you describe are both irrelevant in this matter. Operation of a consumer device, such as a battery charger, under Part 15 of the Commission's rules must not result in harmful interference to a licensed radio service and Part 15 of our rules clearly explains that. Whenever such interference does occur, the operator of a Part 15 device is responsible for correcting the interference, and if necessary, must cease operation of the device causing it. Our previous letters cited the applicable rules and you may wish to consult an attorney regarding them.

In your letter received July 16, 2004, you indicated that you had no desire to be uncooperative with the Commission. However, we note that not only did you throw out the device provided by Mr. Cooper, which entirely solved the interference problem, but you have also refused to claim two certified letters sent to you in June and July of this year by the Commission.

The solution to the interference generated by the device in your home is simple and has already been shown to work. Whether you purchase the toroid cores or use those provided free of charge by Mr. Pope is entirely up to you. However, we hereby notify you that the responsibility to correct the problem is yours and if the interference is not corrected by September 15, 2004, we will request the Field office to investigate the interference and issue a monetary forfeiture (fine) to you as appropriate.

Since you apparently no longer have the toroid cores, simple devices commonly used to solve such interference problems, we can arrange for them to be furnished to you again, or can advise you as to where to obtain another set on your own. Another commercially available product that may help in this case is typically known as "brute-force" AC line filter. These devices are simple to install. In order to comply with the FCC rules, however, it is imperative that whatever option you choose eliminates the harmful interference.

We also note that Mr. Cooper is one of the very few licensed operators in your area with the equipment capabilities to handle communications in local or regional emergencies, and in fact has been asked by the Deputy Fire Marshal and Deputy Emergency Management Coordinator for your area to participate in their emergency communications system.

If you have any questions about this matter, please contact me at 717-338-2502.

CC: FCC South Central Regional Director