

FCC Enforcement Letters

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

August 24, 2005

(name withheld)

(address withheld)

Willoughby, OH 44094

RE: Radio Interference, Case #2005-2773

Dear Mr. and Mrs. (name withheld):

The Federal Communications Commission has been made aware that an electronic transformer manufactured by W.A.C. Lighting Company, Model number EN-12PX-AR, located in a lighting circuit at your residence, is causing harmful radio interference to the AM Radio Broadcast Band as well as to a licensee in the Amateur Radio Service.

The FCC has the responsibility to require that such problems be rectified within a reasonable time if the interference is caused by faulty consumer equipment. Under FCC rules, equipment such as a lighting transformer is typically classified as an "unintentional" radiator. This term is used to describe equipment that intentionally generates radio-frequency energy but does not intentionally radiate it.

To help you better understand your responsibilities under FCC rules, here are the most important rules relating to radio and television interference from unintentional and incidental radiators:

Title 47, CFR Section 15.5 General conditions of operation.

(b) Operation of an intentional, unintentional, or incidental radiator is subject to the conditions that no harmful interference is caused and that interference must be accepted that may be caused by the operation of an authorized radio station, by another intentional or unintentional radiator, by industrial, scientific and medical (ISM) equipment, or by an incidental radiator.

(c) The operator of the radio frequency device shall be required to cease operating the device upon notification by a Commission representative that the device is causing harmful interference. Operation shall not resume until the condition causing the harmful interference has been corrected.

Title 47, CFR Section 15.13 Incidental radiators.

Manufacturers of these devices shall employ good engineering practices to minimize the risk of harmful interference.

Title 47, CFR Section 15.15 General technical requirements.

(c) Parties responsible for equipment compliance should note that the limits specified in this part will not prevent harmful interference under all circumstances. Since the operators of Part 15 devices are required to cease operation should harmful interference occur to authorized users of the radio frequency spectrum, the parties responsible for equipment compliance are encouraged to employ the minimum field strength necessary for communications, to provide greater attenuation of unwanted emissions than required by these regulations, and to advise the user as to how to resolve harmful interference problems (for example, see Sec. 15.105(b)).

The FCC prefers that those responsible for the proper operation of equipment assume their responsibilities fairly. This means that you should resolve the interference caused by the lighting device and make necessary corrections within a reasonable time. You may wish to contact the manufacturer for a replacement.

While the FCC has confidence that most people are able to resolve these issues voluntarily, the FCC wants to make you aware that this unresolved problem may be a violation of FCC rules and could result in a monetary forfeiture (fine) for each occurrence. At this stage, the FCC encourages the parties to resolve this problem without FCC intervention; but if necessary to facilitate resolution, the FCC may investigate possible rules violations and address appropriate remedies.

Please advise us as to what steps you are taking to correct this interference problem. The FCC expects that most cases can be resolved within 60 days of the time they are first reported. If you are unable to resolve this within 60 days, please advise this office about the nature of the problem, the steps you are taking to resolve it and the estimated time in which those steps can be accomplished.

An extra copy of this letter is enclosed for your convenience, and if you have any questions about this matter, please contact:

W. Riley Hollingsworth
Special Counsel
Enforcement Bureau, FCC
E-mail rholling@fcc.gov
717-338-2502

Thank you very much for your cooperation.

Sincerely,

Sharon Bowers, Deputy Chief
Consumer Inquiries & Complaint Division
Consumer & Governmental Affairs Bureau