



**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
NORTHEAST REGION**

Philadelphia Office
One Oxford Valley Building, Suite 404
2300 East Lincoln Highway
Langhorne, Pennsylvania 19047
215-741-3016

May 4, 2012

Thomas Roberts
Scranton, Pennsylvania

NOTICE OF UNLICENSED OPERATION

Case Number: EB-FIELDNER-12-00000972
Document Number: W201232400005

The Commission received a complaint alleging that the operation of your Citizens Band (CB) radio station in Scranton, Pennsylvania, is causing harmful interference to other CB communications on adjacent frequencies. As described below, an agent from the Enforcement Bureau's Philadelphia Office found during an investigation that you were operating your CB station at your residence in Scranton, Pennsylvania in a manner that voided your authorization to operate.

On February 8, 2012, the Philadelphia Office issued you a Warning For Unlicensed Operation. On February 27, 2012 the Philadelphia Office received your response letter stating that you operate a Ranger RCI-2995 DX CB transmitter which has a built in linear amplifier. You never provided the FCC ID Number for the CB transmitter, as requested. Furthermore, there is no record that the Ranger RCI-2995 DX is a certificated CB transmitter. According to the manufacture's specification sheet, the Ranger RCI-2995 DX radio is capable of transmitting with an output power of 50 Watts RMS in CW/AM/FM modes and 150 Watts (PEP) in SSB mode. These power levels far exceed the maximum permitted output powers for CB transmitters authorized by the FCC. Furthermore, you state that you have made modifications to your CB radio transmitter.

CB Rule 9 requires that you use an FCC certificated CB transmitter and prohibits you from making any internal modifications to a certificated CB transmitter. 47 C.F.R. §§ 95.409(a) and (b). CB Rule 10 requires that your CB station's transmitting power output must not exceed 4 watts (carrier power) in AM mode and 12 watts (peak envelope power) in SSB mode. 47 C.F.R. § 95.410. CB Rule 11 prohibits you from attaching to your CB station an external radio frequency power amplifier ("linear amplifier") or any other device which is capable of amplifying the signal. 47 C.F.R. § 95.411(a). You void your authority to operate your CB station if you use a transmitter which has carrier or peak envelope power in excess of that authorized, use a linear amplifier, use a non-certificated CB transmitter, or make any internal modification to your certificated CB transmitter. *See* 47 C.F.R. §§ 95.409(a), 95.410(c), and 95.411(b).

You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization constitutes a violation of 47 U.S.C. § 301 and could subject you to severe penalties, including, but not limited to, substantial monetary fines, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment. (*see* 47 U.S.C. §§ 401, 501, 503 and 510).

UNLICENSED OPERATION OF THIS RADIO STATION MUST BE DISCONTINUED IMMEDIATELY.

If the harmful interference continues, the FCC may impose restricted hours of operation for your CB station, pursuant to Section 95.423 of the rules. In addition, the Commission may commence a further investigation to determine whether you continue to operate your station in violation of any of the Commission's rules.

You have ten (10) days from the date of this notice to respond with any evidence that you are now operating your station in accordance with the rules and with a certificated CB transmitter. Your response should be sent to the address in the letterhead and reference the listed case and document number. Under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), we are informing you that the Commission's staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure your compliance with FCC rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

Kevin Doyle
Acting District Director
Philadelphia Office
Northeast Region
Enforcement Bureau

Attachments:

Excerpts from the Communications Act of 1934, As Amended
Enforcement Bureau, "Inspection Fact Sheet", March 2005