

**VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

May 22, 2009

Mr. Ronald H. Rogers  
Vice President, Transmission Operations & Maintenance  
Tennessee Valley Authority  
1101 Market Street  
Chattanooga, TN 37402-2801

**Re: EB-09-GB-0038**

Mr. Rogers:

The Federal Communications Commission notified you by warning letter dated August 20, 2006, that it had continued to receive complaints of harmful radio interference possibly caused by power line equipment maintained by your company.<sup>1</sup> The interference was reported by:

(name withheld)  
(address withheld)  
Clarksville, TN 37043  
Phone: (withheld)  
Email: (withheld)

In that letter, you were advised that this problem, if unresolved, could be a violation of Commission rules and could possibly result in a monetary forfeiture. For this reason, we encouraged the parties involved to voluntarily resolve the matter without Commission intervention. The letter further stated, however, that should it become necessary for the Commission to facilitate a resolution, the Commission might investigate possible rule violations and address appropriate remedies, including monetary forfeitures.

By letter dated September 13, 2006, you had responded to the Commission's August 20, 2006, letter indicating that the Tennessee Valley Authority (TVA) had repaired a lighting arrester on the local distributor's pole. After conferring with (name

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<sup>1</sup> The Commission had previously notified you on October 26, 2005, of a complaint regarding possible interference caused by equipment operated by your company. Copies of both letters are enclosed for your convenience.

withheld), TVA concluded that the interference matter had been corrected and asked the Commission to close the file.

During the latter part of 2007 and into 2008, however, the interference returned and the licensee continued to contact TVA requesting that they correct the problems. (Name withheld) went so far as to go out and attempt to locate several instances of noise himself. (Name withheld) currently believes the source of the noise is a splice in the TVA lines. I am providing you with his suspected source of the noise as a starting point. It is as follows:

- The splice is located between two poles. The first pole is located immediately south of Laurel Wood Trail

Given the fact this case has been ongoing for quite some time without resolution and TVA has had ample time to make the necessary repairs, you are directed to respond to the undersigned within 30 days of receipt of this letter detailing what steps you have taken to resolve the specific instances of interference listed above that are reported as being caused by TVA equipment.

Likewise, given the fact that these sources were discovered by the licensee, not the utility, and should not be considered comprehensive, you are further directed to provide to the undersigned within 60 days of receipt of this letter a written report as to what steps TVA has undertaken to locate and identify additional sources of interference and what steps TVA intends to take to correct (name withheld) ongoing radio frequency interference. Should the remaining interference problems not be resolved within those 60 days, TVA will be required to provide the undersigned with a status update every two (2) weeks going forward as to what progress, if any, has been made to resolve the matter.

If you have any questions about this matter, please contact me at 717-338-2577.

Sincerely,

Laura L. Smith  
Special Counsel

Cc: Atlanta Field Office  
South Central Regional Director