CERTIFIED MAIL-RETURN RECEIPT REQUESTED

March 9, 2011

(Name withheld)
(Address withheld)
(Address withheld)

Re: EB-10-GB-0082

Dear Mr. (name withheld):

The Federal Communications Commission notified you by letter dated July 19, 2010, that an electric fence charger being operated on your property may be causing harmful radio interference to an operator in the Amateur Radio Service. The complainant is:

(Name withheld)
(Address withheld)
(Address withheld)

The Commission has the responsibility to require that such problems be rectified within a reasonable time if the interference is caused by faulty consumer equipment. Under Commission rules, certain types of equipment are classified as "unintentional emitters." These devices generate radio frequency energy but do not intentionally radiate it. Examples include computers, radio receivers and television sets. Other types of devices are classified as "incidental emitters." These devices do not intentionally generate any radio-frequency energy, but that may create such energy as an incidental part of their intended operation. Common examples include aquarium heaters, certain portable telephones, alarm control panels, fluorescent light ballasts, doorbell control circuits and so forth. Some unintentional emitters are imported and do not comply with Commission certification standards, and thereby result in interference to other radio services. Your water pump may be one of those devices. If the device is an approved one, it should have a silver FCC label on the unit showing a certification number. **Even an approved device, however, can only be operated legally if it is *not* causing harmful interference to a licensed radio service.**

The complainant has attempted unsuccessfully to resolve this problem and as a result the matter has been referred to our office. The Commission 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 device and make necessary corrections within a reasonable time. The July 19, 2010, letter specifically stated, however, that if it became necessary for the

Commission to facilitate a resolution, the Commission might investigate possible rule violations and address appropriate remedies, including monetary forfeitures.[1]

When you and I spoke last year, you indicated that you were going to make the necessary repairs to the fence charger. According to the complainant, however, those repairs have not been made and the complainant is still experiencing interference. Lack of response to the Commission's letter is not acceptable. In order to avoid enforcement action on this matter, you have thirty (30) days from the date of receipt of this letter to respond to this office at the following address: 1270 Fairfield Road, Gettysburg, PA 17325. The response must contain a statement of the specific action(s) taken to eliminate the source(s) of Mr. Koetje's radio interference. If you have any questions about this matter, please contact me at 717-338-2577.

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Sincerely,

Laura L. Smith, Esq.
Special Counsel
Enforcement Bureau

cc: Detroit Field Office
Northeast Regional Director

[1] Fines normally range from $7,500 to $10,000.