

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

March 26, 2009

Mr. Randall Pugh, President/CEO
Jackson EMC
PO Box 38
Jefferson, GA 30549

Re: EB-09-GB-0009

Mr. Pugh:

The Federal Communications Commission notified you by letter dated June 27, 2006, that it had received complaints of harmful radio interference possibly caused by power line equipment maintained by your company.¹ The interference was reported by:

(name withheld)
(address withheld)
Suwannee, GA 30024

Cell 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.

On August 7, 2006, you responded to the letter indicating that you had invested in several pieces of specialized interference locating equipment and that you were attempting to locate the sources of reported interference. You further stated that you were making concerted efforts to work with Mr. Pelham to find the possible sources of interference and would continue to do so going forward. The record further demonstrates that multiple contacts were made between 2006 and 2007 between Mr. Pelham and a representative of Jackson EMC (Mr. Mike Brooks) in an ongoing effort to find and resolve the problems.

On December 30, 2006, the licensee presented to the Commission and Jackson EMC, a report from a Mr. Dean Fredriksen, a practicing RF design engineer with 28

¹ A copy of that letter is enclosed for your convenience.

years experience.² Mr. Fredriksen visited Mr. Pelham's station to review and evaluate the alleged RF interference. In his report, Mr. Fredriksen states that "interference was strong, and occurred on a broad spectrum ranging from the lowest amateur band frequency we measured (7 MHz) to the highest (144 MHz)." He further noted that the interference has the typical characteristics of power line noise.

On May 14, 2007, agents from the Commission's Atlanta field office conducted a field inspection. They met with representatives of Jackson EMC and Georgia Power (the other utility company involved in the interference complaint). During the course of that field inspection, several sources of interference were located. Some of those sources were fixed immediately, but in several instances, the representatives of both Jackson EMC and Georgia Power indicated that they would have to return at a later date to correct the problem. The field agents noted that the power companies were to return, indicated that the companies had indicated their intent to continue to work with the complainant going forward, and advised the complainant to continue to contact the utility companies as problems arose. During the latter part of 2007 and into 2008, the licensee continued to experience interference and continued to contact Jackson EMC to correct the problems.

In November of 2008, the ARRL sent out a representative for an on-site investigation into the continuing problem. The ARRL representative used Radar Engineers noise-location equipment and located four (4) sources of noise within a one hour time period.³ The four (4) sources of noise are as follows:

- Jackson EMC Pole #P5858: The pole is located directly across the street from the complainant's driveway. The beam heading is SE from his station.
- Jackson EMC Pole #66490: The pole is located approximately 100 feet south of Bend Creek Trail on Suwannee Creek Road. The beam heading is SE from the complainant's station.
- Georgia Power Pole (no number available): The pole is located approximately 1000 feet north of Bend Creek Trail on Suwannee Creek Road. It is right next to a brick house mailbox, house number 3515. The heading from the complainant's station is NW.
- Georgia Power Pole #F7245: The pole is located directly across the street from the Georgia Power Pole referenced above. Its heading from the complainant's station is W-NW.

Given the fact this case has been ongoing for quite some time without resolution and Jackson EMC 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

² A copy of Mr. Fredriksen's report is enclosed for your convenience.

³ The equipment used during this investigation was: a Radar Engineers Model 240A HF-UHF RFI locator and a Radar Engineers 390-415 Antenna.

you have taken to resolve the two (2) instances of interference listed above that are reported as being caused by Jackson EMC equipment.

Likewise, given the fact that the field investigation by the ARRL representative took place under severe time constraints and cannot 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 Jackson EMC has undertaken to locate and identify additional sources of interference and what steps Jackson EMC intends to take to correct Mr. Pelham's radio frequency interference. Should the remaining interference problems not be resolved within those 60 days, Jackson EMC 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