

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

February 28, 2011

Mr. James E. Rogers
Chairman, President, CEO
Duke Energy
PO Box 70516
Charlotte, North Carolina 28272

Re: EB-09-GB-0191

Dear Mr. Rogers:

The Federal Communications Commission has previously notified your predecessor at Progress Energy, Mr. Jeffrey Layash, by letter on June 22, 2009, that it has received complaints of harmful radio interference possibly caused by equipment operated by your company. This interference has been reported by an operator in the Amateur Radio Service. The complainant is:

(Name withheld)
(Address withheld)
(Address withheld)
Tel: (Number withheld)

In this letter, Mr. Layash was advised that this problem, if unresolved, could be a violation of Commission rules and could result in a monetary forfeiture. For this reason, we encouraged the parties involved to voluntarily resolve this matter without Commission intervention. If however it became necessary to facilitate a resolution, the Commission might investigate possible rules violations and address appropriate remedies, including monetary forfeiture.

Mr. Layash was further advised that the Commission expects that most cases can be resolved within 60 days of the time they are first reported to the utility company. In addition, if Progress Energy was unable to resolve this matter by August 24, 2009, they were directed to inform this office about the nature of the problem, the steps being taken to resolve it and the estimated time in which those steps could be accomplished. Progress Energy was further advised to inform the complainant of what steps would be taken to correct this reported interference problem. On December 17, 2009, Progress Energy reported on that it had replaced a 25 KVA transformer, transformer leads and insulators. For a time, those repairs were successful in alleviating the interference to Mr. (name withheld) amateur radio equipment. Mr. (name withheld) reports, however, that the interference has returned and it is now greater than ever.

Given that Progress Energy made significant repairs in an attempt to alleviate the interference, the Commission will allow you sixty (60) days from the date of this letter to identify the source(s) of this new interference. If you are unable to locate and resolve this interference by May 6, 2011, 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. Please send your response to this office at the following address: 1270 Fairfield Road, Gettysburg, PA 17325. Your response must also include a carbon copy to Mr. (name withheld) so that he can confirm any statement that you make regarding resolution of the interference. If you have any questions about this matter, please contact me at 717-338-2577.

Sincerely,

Laura L. Smith, Esq.
Special Counsel
Enforcement Bureau
Sincerely,

cc: Tampa Field Office
South Central Regional Director