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**Federal Communications Commission
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Washington, D. C. 20554**

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

Report No. CI 98-3 COMPLIANCE AND INFORMATION ACTION March 20, 1998

FCC CLOSES DOWN UNLICENSED RADIO OPERATION THAT THREATENED AIR SAFETY AT SACRAMENTO AIRPORT; FOURTH AIRPORT INTERFERENCE INCIDENT IN FIVE MONTHS

The Federal Communications Commission today announced it had located and shut-down an unlicensed radio broadcasting operation in Sacramento, California, that was reported by the Federal Aviation Administration (FAA) to be causing interference to safe air traffic control communications at Sacramento Executive Airport.

The FCC said that after investigating FAA complaints about interference at the airport on four different frequencies, it identified the source as an unlicensed radio station operating on 107.2 MHz from the office of Dollar and Sense Productions, 2251 Florin Road, Suite 128, Sacramento. FCC investigators informed the operator of the interference yesterday, and shortly thereafter the station shut down its operations.

In a letter to the FCC on the incident, the FAA told the FCC the unlicensed radio operation was "creating an unsafe condition in our National Airspace System."

This is the fourth time in the last five months that FCC investigators have had to make emergency-response investigations to locate illegal unlicensed broadcast stations which were interfering with air traffic communications. In October 1997, the FCC obtained voluntary shut down of two separate unlicensed operations interfering with air traffic control frequencies at Miami International Airport and West Palm Beach International Airport. In February this year, the FCC and Office of the United States Attorney for the District of Puerto Rico obtained a court order to confiscate transmission equipment from an unlicensed operator who was causing interference at San Juan International Airport and who refused to shut-down voluntarily.

FCC Chairman William Kennard said, "Unlicensed radio operations such as this pose a threat to critical air traffic communications and a risk to safety of life due to the interfering transmissions. I am concerned that we have now had multiple incidents of interference at four airports around the country. We will continue to inform the public of these dangers and to move swiftly to eliminate these potential hazards to air traffic communications."

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In the Sacramento case, the FCC's San Francisco office was first alerted by the FAA on Wednesday, March 18, that aircraft over Napa, California, were receiving interference to their radio communications and that there was a radio station signal being heard on the pilots' air traffic control radio channel. The FCC began an immediate investigation, but was hampered by the fact that the signal was only being heard high in the air and the possible location of the source was anywhere in a 60 mile radius of Napa.

On Thursday, March 19, the investigation focused in the Sacramento, California, area when the FCC was notified that the FAA radios at Sacramento Executive Airport were receiving interference on several channels (119.5, 122.2, 125.0, and 126.8 MHz) from a radio station. The FAA reported that the station appeared to be drifting or changing frequency.

Two FCC investigators were immediately dispatched to Sacramento. FCC technical measurements showed that the transmitter of the illegal station was not only sending out the intended broadcast station signal, it was also sending out numerous other spurious signals on aviation frequencies. When notified of the interference, the operator of the unlicensed operation voluntarily shut down the transmissions.

Unlicensed radio transmissions, in general, can create a danger of interference to important radio communications services. Such illegal transmissions, using equipment of unknown technical integrity, raise a particular concern because of the potential for harmful interference to authorized radio operations, including public safety communications and aircraft frequencies, as in this case. Unlicensed broadcast stations are of particular concern because they operate on channels directly adjacent to those used for sensitive aviation communications and air navigation signals.

Under federal law, radio stations may be operated only upon the issuance of an FCC license covering such equipment. Unlicensed operation may subject the violator to serious penalties provided for in the Communications Act of a civil fine of up to \$11,000 and/or seizure and forfeiture of the radio equipment by court order. Violators could also be subject to criminal fines imposed by the Justice Department of up to \$100,000, and/or imprisonment for up to one year or both for a first offense.

In addition, interference with a government communications system, such as the FAA air traffic control or air navigation systems, is a federal felony and violators can be punished under the federal criminal code.

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