



**FEDERAL COMMUNICATIONS COMMISSION**  
**ENFORCEMENT BUREAU**  
South Central Region

**San Juan Office**  
US Federal Building Room 762  
San Juan, PR 00918-1731

May 22, 2009

Via Certified Mail & fax:

Manati Municipality  
Administration Office  
Res. Enrique Zorilla Apt. 281  
Manati, PR 00674

**Corrected Copy**

**CITATION**

Case Number: EB-09-SJ-0024  
Document Number: C200932680003

This is an official **CITATION**, issued pursuant to Section 503(b)(5) of the Communications Act of 1934, as amended ("Act"), 47 U.S.C. § 503(b)(5), to the Manati Municipality notifying you that your unintentional radiator is causing harmful interference to licensed communications services and that your operations must cease. As explained below, continued operation while causing harmful interference may subject you to monetary forfeitures.

On May 21, 2009, in response to information provided by AT&T Wireless ("AT&T"), the FCC's San Juan Office of the Enforcement Bureau ("San Juan Office") conducted an investigation on the roof top of building 30 of the Enrique Zorilla public housing project in Manati. The local AT&T cell site was experiencing interference which seriously degraded their service quality and resulted in dropped calls by the hundreds. Public safety concerns due to the possibility of dropped 911 calls prompted agents from this Office to confirm by direction finding techniques that radio emissions on frequency 831.9315 MHz were emanating from the building's roof. The building is located on the corner of Rosario and Limones streets. On and off tests conducted with the AT&T determined that the Tru Spec Model TA-52 master antenna TV amplifier in service on the roof was the cause of the harmful interference.

This amplifier is an "unintentional radiator" which is a "device that sends radio frequency signals by conduction to associated equipment via connecting wiring, but which is not intended to emit RF energy by radiation or induction." 47 C.F.R. § 15.3(z). Nonlicensed operation of an unintentional radiator pursuant to Part 15 of the FCC's rules is subject to the condition that it must not cause harmful interference and, if harmful interference occurs, operation of the device must cease. *See* 47 C.F.R. § 15.5. Harmful interference is defined as "[a]ny emission, radiation or induction that ... seriously degrades, obstructs or repeatedly interrupts a radio communications service." 47 C.F.R. § 15.3(m).

You are hereby notified that your Tru Spec Model TA-52 master antenna TV amplifier device is emitting spurious emissions on 831.9315 MHz, which are causing harmful interference to the licensed radio

communications of AT&T Wireless. Your operation of this device must cease, until the interference can be resolved. Operation of this device that continues to cause harmful interference after your receipt of this warning constitutes a violation of the rules cited above and could subject the operator to severe penalties, including, but not limited to, substantial monetary fines, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment. (*see* 47 U.S.C. §§ 401, 501, 503 and 510).

**OPERATION OF THE AMPLIFIER MUST CEASE UNTIL YOU RESOLVE THE HARMFUL INTERFERENCE.**

You have ten (**10**) days from the date of this notice to respond with any evidence that your unintentional radiator is not the source of the harmful interference to the licensed communications of AT&T. Your response should also state when you discontinued operations at Building #30 in Enrique Zorilla and a description of the steps you are planning to take to eliminate the interference. Your response should be sent to the address in the letterhead and reference the listed case and document number.

You may request an interview at the closest FCC Office, which is Federal Communications Commission, Enforcement Bureau, South Central Region, San Juan Office, US Federal Building Room 762 San Juan, PR 00918-1731. You may contact this office by telephone, (XXX) XXXX-XXXX to schedule this interview, which must take place within 10 days of this Citation.

Under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), we are informing you that the Commission's staff will use all relevant material information before it, including information that you disclose in your interview or written statement, to determine what, if any, enforcement action is required to ensure your compliance with the Communications Act and the Commission's rules.

The knowing and willful making of any false statement, or the concealment of any material fact, in reply to this citation is punishable by fine or imprisonment under 18 U.S.C. § 1001.

You may contact this office if you have any questions.

Reuben Jusino  
Resident Agent  
San Juan Office

Attachments:

Excerpts from the Communications Act of 1934, As Amended  
Enforcement Bureau, "Inspection Fact Sheet", July 2003