



**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
SOUTH CENTRAL REGION**

Dallas Office
9330 LBJ Freeway, #1170
Dallas, Texas 75243

November 24, 2009

Cosmetology Career Center
Carrollton, Texas

**WARNING OF UNAUTHORIZED OPERATION AND
INTERFERENCE TO LICENSED RADIO STATIONS**

Case Number: EB-09-DL-0098
Document Number: W201032500004

On November 9, 2009, this office received an interference complaint from AT&T Mobility regarding six radio signals, covering the 800 MHz band and 80 MHz of the 1900 MHz band, which were interfering with their licensed personal communications service transmissions. The signals were located to the Cosmetology Career Center in Carrollton, Texas. On November 9, 2009, an agent from this office contacted the Cosmetology Career Center concerning the possible use of unauthorized radio transmitters at its Carrollton location and spoke to the Operations Leader. The Operations Leader admitted that the center had previously used a "5W Adjustable Power Jammer," but added that the center turned it off after being contacted by AT&T Mobility. The Operations Leader also stated that the center owned three "Cell Phone Jammer[s] Heavy Duty 5 Band" which had not yet been put into operation.

Persons operating or using radio transmitters must be licensed or authorized by the FCC, pursuant to Section 301 of the Communications Act of 1934, as amended.¹ In addition, radio transmitting equipment must comply with FCC rules.² Section 333 of the Act prohibits willful or malicious interference with any radio communications of any station licensed or authorized by or under the Act or operated by the United States Government.³ In addition, Section 302(b) of the Act, and Section 2.803(a) of the Commission's rules, prohibit the manufacture, importation, marketing, sale or operation of devices deliberately designed to jam or disrupt wireless communications.⁴ The Commission has issued two Public Notices specifically stating that the sale and use of transmitters designed to prevent, jam or interfere with the operation of cellular and personal communications service ("PCS") telephones is unlawful.⁵ Section 303(n) of the Act

¹ 47 U.S.C. § 301. The only exception to this licensing requirement is for certain transmitters using or operating at a power level that complies with the standards established in Part 15 of the Commission's rules. 47 C.F.R. §§ 15.1 *et seq.*

² 47 C.F.R. Part 2, Subpart J.

³ 47 U.S.C. § 333.

⁴ 47 U.S.C. § 302a(b); 47 C.F.R. § 2.803(a).

⁵ See *Office of Engineering and Technology and Compliance and Information Bureau Warn Against the Manufacture, Importation, Marketing or Operation of Transmitters Designed to Prevent or Otherwise Interfere with Cellular Radio Communications*. DA 99-2150, released October 12, 1999; *Sale or Use of Transmitters Designed to*

also authorizes agents of the Commission to inspect all radio installations to determine compliance with Commission rules.⁶

The operation of the devices utilized by you constitutes a violation of Sections 333, 302(b), and 301 of the Act, as described above.⁷ Such operation may subject you to substantial monetary forfeitures, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment.⁸ Because unauthorized operation creates a danger of interference to important radio communications services, and may subject the operator to severe penalties, this notice emphasizes the importance of complying strictly with these legal requirements.

**OPERATION OF THIS PROHIBITED RADIO TRANSMITTING DEVICE
MUST NOT RESUME.**

You may respond with any information you believe relevant to this warning within (10) days from the date of this warning. Your response should be sent to the address in the letterhead and reference the listed case number. Under the Privacy Act of 1974, we are informing you that the Commission's staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure your compliance with FCC Rules.⁹ This will include any information that you disclose in your reply.

Sincerely,

James D. Wells
District Director
Dallas Office
South Central Region

Attachments:

Excerpts from the Communications Act of 1934, As Amended
Enforcement Bureau, "Inspection Fact Sheet", March 2005

Prevent, Jam or Interfere with Cell Phone Communications is Prohibited in the United States. DA 05-1776, released June 27, 2005.

⁶ 47 U.S.C. § 303(n).

⁷ 47 U.S.C. §§ 301, 302a(b), 333.

⁸ See 47 U.S.C. §§ 401, 501, 503, 510.

⁹ 5 U.S.C. § 552a(e)(3).