



**FEDERAL COMMUNICATIONS COMMISSION**  
Enforcement Bureau  
Region Three  
San Francisco Office  
5653 Stoneridge Drive, Ste. 105  
Pleasanton, CA 94588

June 26, 2017

Robert Tuckey  
Greenbrae, CA

**NOTICE OF UNLICENSED OPERATION**

Case Number: EB-FIELDWR-17-00023829

On March 15, 2017, in response to an interference complaint from T-Mobile USA, Inc. (T-Mobile), Agents from the San Francisco Office of the Federal Communications Commission's (Commission's) Enforcement Bureau responded to a complaint of interference to licensed broadband Personal Communications Service (broadband PCS) radio signals in the 1900 MHz frequency band. Using mobile direction finding techniques, the Agents determined that the interference was emanating from your yacht, DREAMER, located in Slip 86G at the Marin Yacht Club, San Rafael, California, and was likely a bi-directional amplifier (BDA), or signal booster,<sup>1</sup> installed in that vessel. Because you were not present at the time of the Agents' investigation, they did not attempt to access your vessel to confirm the type of device installed.

Under Section 20.21(a) of the Commission's rules, broadband PCS subscribers have authority to operate Consumer Signal Boosters only if, among other things, the subscriber obtains the consent of the broadband PCS provider, and registers the Commercial Signal Booster with the broadband PCS provider.<sup>2</sup> T-Mobile has informed the Commission that you have not obtained T-Mobile's consent to operate a signal booster, nor have you registered the signal booster with T-Mobile. Accordingly, it appears that you are operating your signal booster without authorization, in violation of Section 20.21(a) of the Commission's rules. Furthermore, Commission records show no license issued to you for operation of a radio station at this location in the 1900 MHz band.

Operation of radio transmitting equipment without a valid Commission authorization or license is a violation of Section 301 of the Communications Act of 1934, as amended,<sup>3</sup> and may subject the

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<sup>1</sup> Section 22.99 of the Commission's Rules defines "signal booster" as "[a] stationary device that automatically reradiates signals from the transmitters without channel translation, for the purpose of improving the reliability of existing service by increasing the signal strength in the dead spots." 47 CFR § 22.99.

<sup>2</sup> 47 CFR § 20.21(a).

<sup>3</sup> See 47 U.S.C. § 301.

responsible parties to substantial monetary forfeitures.<sup>4</sup> Because unlicensed 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.

**UNLICENSED OPERATION OF THIS RADIO STATION MUST BE DISCONTINUED IMMEDIATELY.**

To resolve the issues with respect to your authority to operate this device, and pursuant to Section 403 of the Communications Act of 1934, as amended,<sup>5</sup> you are directed to discontinue operation of the device on your vessel and to respond within thirty (30) days from the date of this notice with information or relevant documents: 1) showing that you have been granted authority to operate a signal booster; 2) showing that you have obtained consent from a commercial mobile radio licensee to operate a signal booster; or 3) that you are no longer operating a signal booster. In addition, provide an explanation as to what has been done to correct the interference that your equipment is causing to T-Mobile's system and what you are doing to ensure that it will not recur or continue; provide the equipment authorization for the equipment involved; and identify the make, model and serial number of each piece of equipment including the antennas if applicable.

Your response should be sent to the address in the letterhead and reference the listed case number. Under the Privacy Act of 1974,<sup>6</sup> 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 Commission rules. This will include any information that you disclose in your reply.

FEDERAL COMMUNICATIONS COMMISSION

Lark Hadley  
Regional Director  
Region Three  
Enforcement Bureau

Attachments:

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

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<sup>4</sup> See 47 U.S.C. §§ 401, 501, 503, 510.

<sup>5</sup> 47 U.S.C. § 403.

<sup>6</sup> 5 U.S.C. § 552a(e)(3).