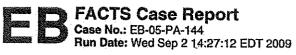
[INCOMPLETE - UNDER CONSTRUCTION]



	Office: PA HQ	#: Local#:	Master#: Close Date	e: 04/04/2006 Logged by:	
COMPLAINANT				SUBJECT	
Name: (Control of the control of th		Name: Cesar Manguba			
Company: Cingular Wireles	s	Company:			
Address:			Address:		
City:	State:		City: Philadelphia	State: PA	
Geo: Harris Harris	Zip:		Geo: Philadelphia	Zip: 19116	
Phone: (Carallel Sales)	Aux:		Phone:	Aux:	
Email:			Email:		
P_Address::			P_Address::		
Notes:			Notes:		
Source: LOCAL	Freq: 824	•			
Safety: Non-Safety	Call:		4		
Special: None	Entity: Archiv	red	Freq: 0	Complaint	
Utility: LOCAL	To: Archived		Call:	Confidential	
			Entity: Archived	Congressional	
			From: Archived	Info Request	
			ASR:	Interference	
			1 -6-		
			Lat:	ACIty: Philadelphia	
nterference to Non-safety -	Cingular wireless	is getting h	Long:	XCity: Philadelphia XState: PA	
ORK EVENTS reverse chronological orde	r.		Long: armful interference from	XState: PA	
nterference to Non-safety - ORK EVENTS reverse chronological order			Long:	XState: PA	
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On Oct 19, 2005, Section Communication of the MDDF vehicle. At first the agents did not observe any emissions. They knocked on the door of the residence and met with Cesar Manguba. He turned on the light switch and the agents went back to their vehicle and observed emissios on 827 MHz. The light fixture was powered on but the lights were not illuminated because it was not dark. Still the light fixture radiated emissions that were centered on 827.7992 MHz. The agents again asked Cesar to turn off the light and the emissios dissappeared. Cesar said that he received the FCC letter many years ago but never replaced the light fixture.

The agents gave Cesar a verbal warning to cease operating the light because it was causing interference to Cingular Wireless and to recommended replacing the light to permanantly correct the problem. Cesar agreed to replace the light. The light had a model number EMS-320 and the number E102785 listed on its label.

The agents took pictures of the light and a snap shot of the spectrum analyzer display showing the interfering emissions from the light.

The PA Office will likely send an Citation to the owner of the light.

Event Date: 09/16/2005	Agent:	Event Type: OPEN	WeUtility:
Problem Resolution?			
On Sept 15, 2005 at 2:20 p.m. Cingular was getting interference from Said Cingular trihad already investigated an interference sent a warning letter to subject on 1/12/on.	an unidentifeid so ed to make contac e problem at this l	urce at the residence to the the twith the owner but has been coation from a light fixture. S	n unable. noted that we see case EB-00-PA-009. We
said he measured with a spectrum the source at	ı analyzer spuriou	s emissions between 224-22	5. He used a yagi to locate

RULE VIOLATIONS NOTE: Hot links may not work.

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## Before the Federal Communications Commission Washington, D.C. 20554

In the Matter of	)	
	)	File No.: EB-05-PA-144
Cesar Manguba	)	
	)	Citation No.: C20063240001
Philadelphia, Pennsylvania	)	

## CITATION

Released: January 12, 2006

By the District Director, Philadelphia Office, Northeast Region, Enforcement Bureau:

- 1. This is an Official Citation issued pursuant to Section 503(b)(5) of the Communications Act of 1934, as amended ("Act"), to Cesar Manguba for violation of Section 15.5 of the Commission's rules ("Rules").
- 2. The FCC's Philadelphia Office received a complaint from Cingular Wireless regarding emissions on the frequency 827.7 MHz that were preventing their customers from accessing the Cingular Wireless cellular telephone system in Philadelphia, PA. An investigation conducted by the Philadelphia Office on October 19, 2005 revealed that the emissions on the frequency 827.7 MHz were emanating from a motion detection light fixture in Cesar Manguba's residence. The motion detection light fixture is considered an incidental radiator and subject to the conditions of Section 15.5 of the Rules.³
- 3. Section 15.5(b) of the Rules states that "[o]peration of an intentional, unintentional or incidental radiator is subject to the condition that no harmful interference is caused and that interference must be accepted that may be caused by the operation of an authorized radio station, by another intentional or unintentional radiator, by industrial, scientific and medical (ISM) equipment, or by an incidental radiator." Section 15.5(c) of the Rules states that "the operator of a radio frequency device shall be required to cease operating the device upon notification by a Commission representative that the device is causing harmful interference." Operation shall not resume until the condition causing the harmful interference has been corrected." Cesar Manguba's operation of the light fixture is causing harmful interference to the Cingular Wireless telephone system in violation of Section 15.5 of the Rules.

¹47 U.S.C. § 503(b)(5).

²47 C.F.R. § 15.5.

³An incidental radiator is a device that generates radio frequency energy during the course of its operation even though the device is not intentionally designed to generate or emit radio frequency energy.

- 4. Subsequent violations of the Communications Act and/or the Commission's Rules may subject the violator to substantial monetary forfeitures not to exceed \$11,000 for each such violation or each day of a continuing violation, seizure of equipment through in rem forfeiture action, and criminal sanctions including imprisonment.
- 5. Pursuant to Sections 4(i), 4(j), 308(b) and 403 of the Act, Cesar Manguba is directed to provide a complete description of the actions taken to prevent the harmful interference caused to the Cingular Wireless cellular telephone system within twenty (20) days from the date of this Citation.
- 6. Cesar Manguba may request an interview at the closest FCC Office, which is Federal Communications Commission, One Oxford Valley Building, Suite 404, 2300 East Lincoln Highway, Langhorne, Pennsylvania 19047. Cesar Manguba may contact this office by telephone, (215) 741-3016, to schedule this interview, which must take place within 14 days of this Citation. Cesar Manguba may also submit a written statement to the above address within 14 days of the date of this Citation. Any written statements should specify what actions have been taken to correct the violation outlined above. Please reference file number EB-05-PA-144 when corresponding with the Commission.
- 7. The Privacy Act of 1974⁷ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Citation is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁸
- 8. IT IS ORDERED that copies of this Citation shall be sent by First Class U.S. Mail and Certified Mail, Return Receipt Requested to Cesar Manguba at his record of address.

FEDERAL COMMUNICATIONS COMMISSION

John E. Rahtes District Director Philadelphia Office

Northeast Region Enforcement Bureau

⁴See 47 U.S.C. § 503(b)(2)(C); 47 C.F.R. § 1.80(b)(3)

⁵See 47 U.S.C. §§ 401, 501, 503, 510

⁶47 U.S.C. § 503(b)(5).

⁷P.L. 93-579, 5 U.S.C. § 552a(e)(3)

⁸¹⁸ U.S.C. § 1001 et seq.

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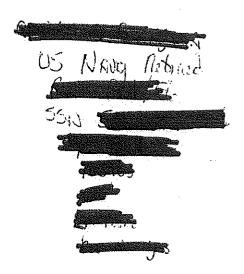
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