

CASE REPORT - EB-09-NY-0219

Run Date: 8/26/2009

Start Date: 6/24/2009		ClosedDate: 8/26/2009		Status: CLOSED		Region: NC		Office: NY		SolDate: 7/6/2010		Type: S	
HQL: [REDACTED]		Suspense Date: 8/3/2009		Complainant: [REDACTED]		Sprint		Case Agent: [REDACTED]		Response Time:		Subject: Ricardo Moore	
COMPLAINANT				Geo: White Plains, NY		Arverne, NY		Geo:		SUBJECT			
Name/F-L: [REDACTED]		Freq: 0.0000		Call:		0.0000		Fre:		Name/F-L: RICARDO MOORE		Company:	
Company: SPRINT		Method: EMAIL		Entity: Licensee/Registra		- - 0		FRN		Address: [REDACTED]		City: Arverne	
Address: 1 North Broadway		To: 024 - PCS - Perso		Safety: Non-Safety		Individual - NonL		Ent		City: Arverne		ST: NY	
City: White Plains		027 - Wireless Se		Compl: YES		027 - Wireless Se		Fro:		Pri Phone: [REDACTED]		Zip: 11092	
ST: NY		None		IX: YES		None		Spec:		Fax/Aux:		Email:	
Zip: 10801		Cong:		InfoTrs:		None		Util:		Phys. Add.:		Subject Notes:	
Pri Phone: [REDACTED]		Cong:		InfoTrs:		None		Loc:		Phys. Add.:		Subject Notes:	
Fax/Aux:		Cong:		InfoTrs:		None		Mas:		Phys. Add.:		Subject Notes:	
Email:		Cong:		InfoTrs:		None		ASR:		Phys. Add.:		Subject Notes:	
Phys. Add.:		Cong:		InfoTrs:		None		Lat:		Phys. Add.:		Subject Notes:	
Complainant Notes:		Cong:		InfoTrs:		None		Lng:		Phys. Add.:		Subject Notes:	
[REDACTED] - RF Engineer (Sprint)		Cong:		InfoTrs:		None		XCH:		Phys. Add.:		Subject Notes:	
Interference Mitigation - NY-NJ-CT		Cong:		InfoTrs:		None		XState:		Phys. Add.:		Subject Notes:	
Public Safety Interference POC		Cong:		InfoTrs:		None		XState:		Phys. Add.:		Subject Notes:	

Case Summary:

Complaint from Sprint on interference to one of their cell sites from a wireless camera installed at a house nearby.

CASE REPORT - HB-09-NY-0219 - CASE DETAILS

Run Date: 8/26/2009

WORK EVENTS

EventDate	Agent	Event Type	WaUtility
6/24/2009	[REDACTED]	COMPLAINT_H	Issued:Citation DocNum: C20
Prob.Resolution: 15.5(b) : Citation issued.;			
6/30/2009	[REDACTED]	UPDATE	
Prob.Resolution: [REDACTED] received case from [REDACTED].			
7/1/2009	[REDACTED]	UPDATE	
Prob.Resolution: [REDACTED] e-mailed [REDACTED] to make an appt with him to meet at the house where the wireless camera was installed that was causing ix to Sprint.			
7/6/2009	[REDACTED]	INVESTIGATION	Invremon Inves Invmdf Invinv
Prob.Resolution: 10 a.m. - [REDACTED] visited the house where Sprint identified the wireless camera was installed, located at [REDACTED], Arverne, NY 11692. Agent met with [REDACTED], the Sprint rep, and observed the ix on the spectrum analyzer, between 896 MHz - 901 MHz coming from the wireless camera. Agent knocked on the door of the first floor apartment (Apt. 1A) and a woman answered. She identified herself as Monique Moore, wife of the owner of the wireless camera. Ms. Moore said that her husband's name was Ricardo and that he was not present at the time. Agent identified himself and explained that the wireless camera they had installed at their house was causing ix to Sprint. Ms. Moore acknowledged this and said she would speak to her husband about it when he came home. The Sprint rep handed Ms. Moore a letter explaining how she could contact the manufacturer to replace this defective camera. Ms. Moore thanked the agent and Sprint rep for the info and said she and her husband will try to get the problem resolved.			
7/20/2009	[REDACTED]	ENFORCEMENT	Issued:Citation DocNum: C20
Prob.Resolution: 15.5(b) : Citation issued.;			
8/26/2009	[REDACTED]	CLOSED	CloseSanctions
Prob.Resolution: Closed.			

RULES VIOLATED

Event Date	Enf.Action Type	Sanction Type	Rule Violation	Viol. Date	Document Num.	\$ Amount	Brief Notes
7/20/2009	Issued	Citation	15.5(b)	7/6/2009	C200932380005		Citation issued.

Federal Communications Commission

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

In the Matter of

Ricardo Moore

Arverne, New York

File No.: EB-09-NY-0219

Citation No.: C200932380005

CITATION

Released: July 20, 2009

By the District Director, New York 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"),¹ to Ricardo Moore for violation of Section 15.5(b) of the Commission's Rules ("Rules").²

2. On June 24, 2009, the FCC's New York Office received a complaint from an FCC licensee concerning interference to its wireless telecommunications network in the 900 MHz SMR uplink band in Arverne, New York. On July 6, 2009, an agent from the New York Office investigated the allegation and located the interfering signal emanating from a residential house located in Arverne, New York. Further investigation revealed that the source of the interfering signal was an Astak surveillance camera system (model CM-918T2), a Part 15 device, located on the front wall of the house.

3. Section 15.5(b) of the Rules states that "[o]peration of an intentional, unintentional, or incidental radiator is subject to the conditions that no harmful interference is caused" Section 15.5(c) provides 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."³ During the inspection on July 6, 2009, the agent warned the tenant at that location that they must cease operating the camera because it was causing interference to a licensed wireless telecommunications network.

4. Violations of the Act or the Commission's Rules may subject the violator to substantial monetary forfeitures,⁴ seizure of equipment through *in rem* forfeiture action, and criminal sanctions including imprisonment.⁵

5. Ricardo Moore may request an interview at the closest FCC Office, which is Federal Communications Commission, 201 Varick Street, Suite 1151, New York, New York.

¹ 47 U.S.C. § 503(b)(5).

² 47 C.F.R. § 15.5(b).

³ *Id.*

⁴ 47 C.F.R. § 15.5(c).

⁵ 47 C.F.R. § 1.80(b)(3).

⁶ 47 U.S.C. §§ 401, 503, 510.

Federal Communications Commission

10014.⁷ You may contact this office by telephone, (212) 337-1865, to schedule this interview, which must take place within 14 days of this Citation. Ricardo Moore 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 violations outlined above. Please reference file number EB-09-NY-0219 when corresponding with the Commission.

6. Any statement or information provided by you may be used by the Commission to determine if further enforcement action is required.⁸ Any knowingly or willfully false statement made in reply to this Citation is punishable by fine or imprisonment.⁹

7. **IT IS ORDERED** that copies of this Citation shall be sent by First Class U.S. Mail and Certified Mail, Return Receipt Requested to Ricardo Moore at his address of record.

FEDERAL COMMUNICATIONS COMMISSION



Daniel W. Noel
District Director
New York Office
Northeast Region
Enforcement Bureau

⁷ 47 U.S.C. § 503(b)(5).

⁸ See Privacy Act of 1974, 5 U.S.C. § 552a(e)(3).

⁹ See 18 U.S.C. § 1001 *et seq.*

Sprint



Together with NEXTEL

Sprint Nextel
1 North Broadway
White Plains
NY 10601

6/10/2009

Via Federal Express

██████████
RF Engineer,
1 North Broadway
White Plains,
NY 10601

To the residents of ██████████, Rockaway:

Sprint Nextel ("Sprint") is investigating harmful interference to Sprint's wireless telecommunications network in your area, and asks for your full cooperation and assistance in helping to resolve this important matter.

Certain types of wireless security cameras have recently been found to cause such harmful interference, and the interference Sprint is experiencing in your area is similar to interference we have seen from wireless security cameras in other locations. Harmful RF interference can have a significant impact on Sprint's network and can often result in blocked calls, dropped calls, and/or reduced quality in voice and data transmissions, all of which can dramatically affect Sprint's customers in your area.

As a Federal Communications Commission ("FCC") licensee, Sprint is afforded certain protections under the Communications Act. The FCC strongly encourages licensees to investigate possible causes of interference and attempt to resolve problems on a private, informal basis. However, the FCC also has rules and procedures for resolving interference issues, which can include the use of FCC field offices to investigate complaints. Users and manufacturers of wireless cameras and other devices that do not comply with FCC rules are potentially subject to fines or other FCC enforcement actions.

For your information, wireless security cameras generally operate under the FCC rules applicable to "unlicensed" operation, which state, in part:

Operation of an intentional, unintentional, or incidental radiator is subject to the conditions 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.

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.

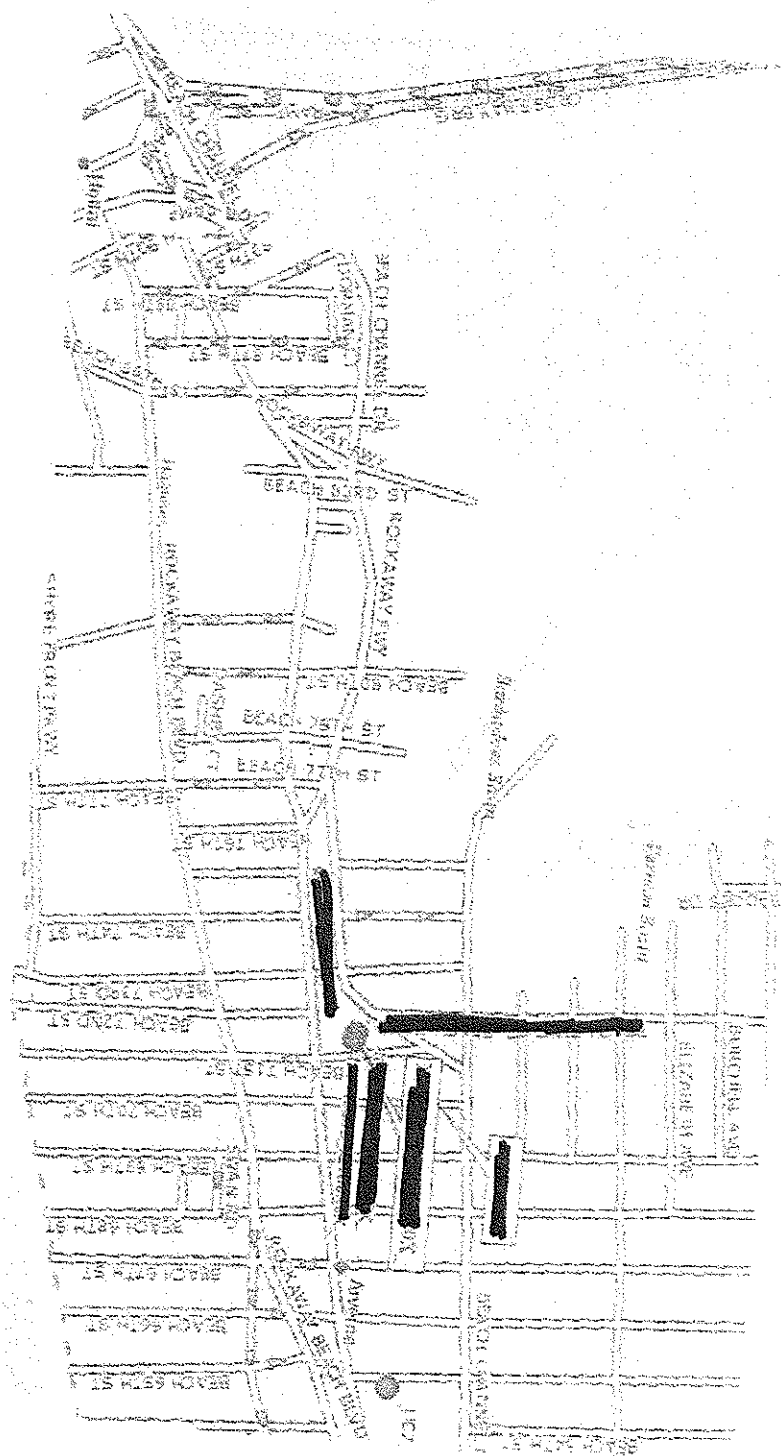
The Astak wireless cameras installed outside your house is causing this type of interference to the Sprint Nextel site on East Tremont Avenue. Please contact the Sprint representative below as soon as possible. Sprint has also been in contact with the wireless camera manufacturer to help determine possible solutions to this problem. For your ASTAK wireless security camera system, please follow the steps below:

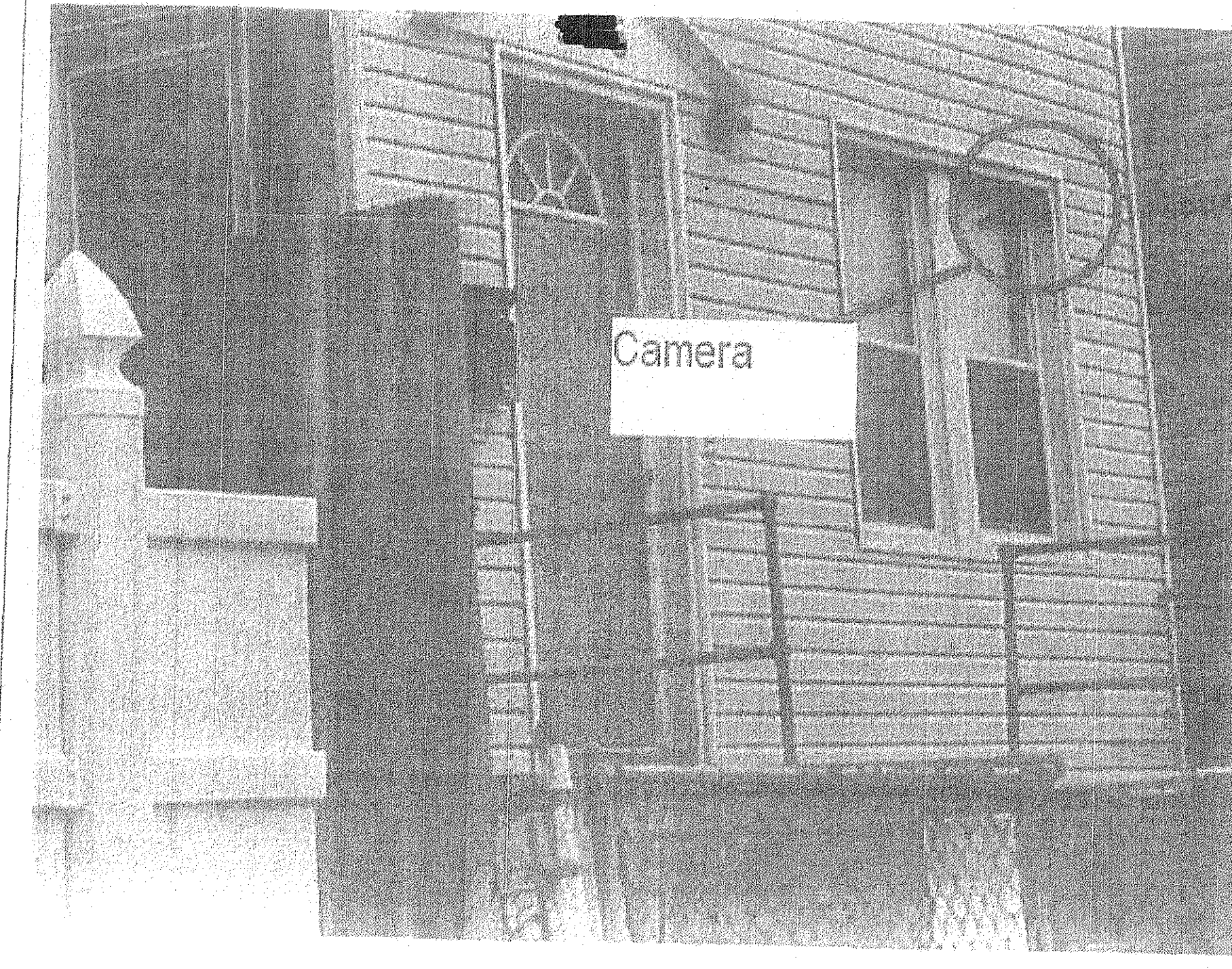
- Restrict use only to "Camera 2," which operates on a frequency that usually does not cause harmful interference to Sprint's network.
- Contact ASTAK directly to request replacement of your system with one that should not cause harmful interference to Sprint's network:
 - o [REDACTED]
 - o K [REDACTED]
 - o Toll-free ASTAK technical support: (866) 358-6788

Sprint looks forward to hearing from you in the very near future to help resolve this matter in a mutually agreeable and cooperative manner. Your assistance is greatly appreciated.

Sincerely,

[REDACTED]
[REDACTED]



A black and white photograph of a house with a porch and a window. A white rectangular box with the word "Camera" is overlaid on the image. The house has horizontal siding and a dark door. A white fence is visible on the left side. The word "Camera" is written in a simple, sans-serif font within the white box.

Camera

[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Wednesday, June 24, 2009 4:25 PM
To: [REDACTED]
Subject: Astak Camera Issue NY1580 Far Rockaway, Queens

Den,
I am requesting your assistance in resolving an interference issue from an Astak camera in Queens. It is causing interference in the 900Mhz SMR uplink band 896Mhz to 901Mhz. The camera was installed on the front wall of house at [REDACTED] NY11692. The owner lives in apt 1A. He refused to give me any contact information and refused to cooperate when I met him on June 4th. I sent him the standard letter which was delivered via Fed Ex on June 12th.
Please see attached photo showing the camera location on the building and a map of the location.

-
- Right-click here to download pictures. To help protect your privacy, Outlook prevented automatic download of this picture from the Internet.

 - Right-click here to download pictures. To help protect your privacy, Outlook prevented automatic download of this picture from the Internet.
-

Thank you for your help.

[REDACTED]
RF Engineer - Sprint
Interference Mitigation NY-NJ-CT
Public Safety Interference POC
[REDACTED]
[REDACTED]

Some messages contain Sprint Nextel Company proprietary information intended for the exclusive use of the recipient. Any use by others is prohibited. If you are not an intended recipient, please contact the sender and delete all copies of this message.

7/6/2009