

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

August 9, 2010

Mr. William G. Longhi
President and CEO
Orange and Rockland Utilities, Inc.
One Blue Hill Plaza
Pearl River, NY 10965

Re: EB-10-GB-0097

Dear Mr. Longhi:

The Federal Communications Commission has received complaints that equipment operated by your utility may be causing harmful radio interference to an operator in the Amateur Radio Service. The complainant is:

(Name withheld)
(Address withheld)
(Address withheld)
Tel: (Number withheld)

(Name withheld) has attempted unsuccessfully to work through your usual complaint resolution process and as a result the matter has been referred to our office. The Commission expects that those responsible for the proper operation of power lines assume their responsibilities fairly. This means that your utility company should locate the source of any interference caused by its equipment and make necessary corrections within a reasonable time.

Under FCC rules, most power-line and related equipment is classified as an "incidental radiator." This term is used to describe equipment that does not intentionally generate any radio-frequency energy, but that may create such energy as an incidental part of its intended operation. To help you better understand your responsibilities under FCC rules, I have enclosed some of the more important rules relating to radio and television interference from incidental radiators.

According to (name withheld), this problem was first reported to Rockland & Orange in April of 2008. Based on the direction of Rockland & Orange, (name withheld) then began reporting the problem to the main 800 telephone number in April through June 2009. A subsequent investigation conducted by the ARRL on November 10, 2009 confirmed and located two significant sources of noise. I also understand these sources were conclusively identified as causing the reported harmful interference to (name withheld's) equipment by signature analysis. Furthermore, the actual source on one structure was then further pinpointed during the ARRL's investigation. A copy of the ARRL report is enclosed for your reference.

Subsequent to the ARRL report, I understand that Rockland & Orange conducted a second investigation into this matter. According to the ARRL, Rockland & Orange's investigation revealed that the two previously identified sources were actually systematic of a specific hardware configuration on several nearby support structures. Specifically, the problematic hardware configuration involves three insulators in a tee-shaped arrangement. For your reference, this arrangement is depicted in Figure 4, Source #2, of the ARRL report. It appears that structure numbers 35, 36 and 51 also have this configuration.

The Commission has the responsibility to require that utility companies rectify such problems within a reasonable time if the interference is caused by faulty power utility equipment. As the record shows, it has been now over two years since (name withheld) first reported this problem to Rockland & Orange. Furthermore, the specific sources that were identified in the ARRL investigation also remain unresolved after seven months. While I can appreciate the fact that 69 kV transmission line repairs can require additional consideration and time, including a planned shutdown of the line, I am concerned by the lack of progress that is being made in this matter, especially when the complainant, ARRL and apparently your own resources have all identified specific sources of interference.

(Name withheld) reports that at the time of this letter, the noise continues with no obvious remedial work to any of the source structures. Furthermore, he has had no communication from Rockland & Orange to him concerning the repairs, if any, or the planned work schedule.

Please be advised that this problem, if unresolved, could be a violation of Commission rules and could result in a monetary forfeiture for each occurrence. Generally in these situations the Commission encourages the involved parties to voluntarily resolve such matters without Commission intervention. If however it became necessary to facilitate a resolution, the Commission can and may investigate possible rules violations and address appropriate remedies, including monetary forfeiture.

Please advise this office in writing as to what steps your utility company is taking to correct this reported interference problem within thirty days of the receipt of this letter. Include the following details:

1. Will a shutdown of the line be required to correct this problem? If so, please provide a firm date for this shutdown. If a firm date has not yet been established, please suggest a general timeframe as to when this decision will be made.
2. If a planned shutdown is required, please provide details on any temporary fix that help abate the noise until the planned shutdown. In particular, what is the scheduled timeframe for such a fix if one is being considered?
3. If a shutdown is not required to correct this problem, please provide a schedule for the repairs.
4. Please include any additional details or background in this case that you feel pertinent.

After the initial response to this letter, please continue to update this office every thirty days, regardless of any anticipated or planned changes, until the repairs are completed. In particular, please provide updates on the schedule with an explanation for any changes. If you have any questions about this matter, please contact me in writing at: 1270 Fairfield Road, Gettysburg, PA 17325 or via phone at 717-338-2577. Thank you for your cooperation.

Sincerely,

Laura L. Smith, Esq.
Special Counsel
Enforcement Bureau

cc: New York Field Office
Northeastern Regional Director