

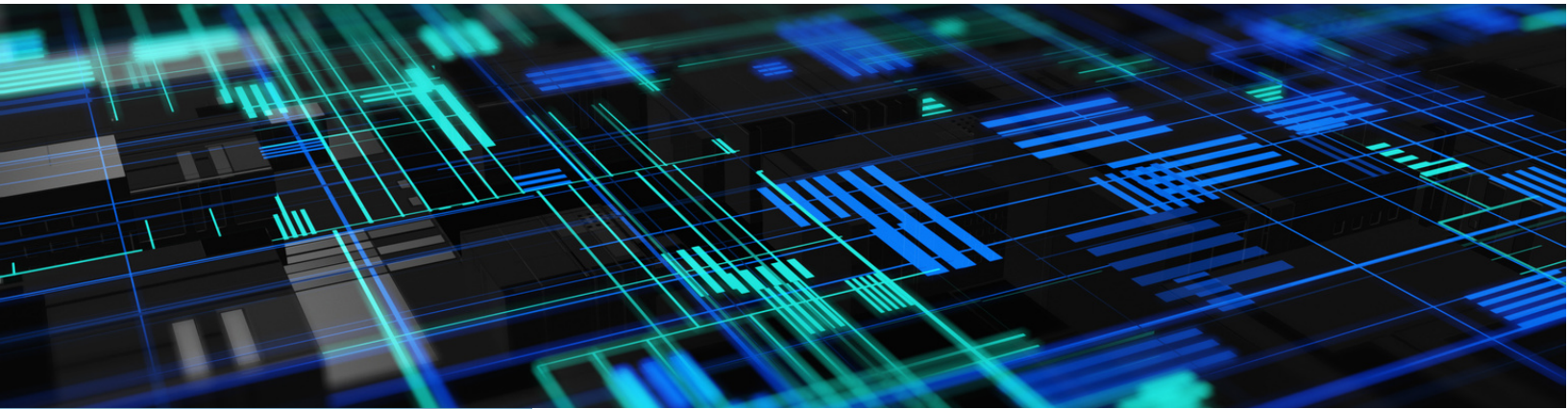
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ENFORCEMENT UPDATE

This edition includes notable FCC enforcement actions during the first quarter of 2022 that may be of interest to telecom, media, and tech companies.

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SPOOFING/ROBOCALLING

The Commission issued a Notice of Apparent Liability for Forfeiture (“NAL”) proposing a penalty of \$45,000,000 against two telemarketing companies for making illegal robocalls. The NAL alleges that the companies, without the consumers’ consent, made 514,467 prerecorded voice message calls to residential landline numbers, of which 246,218 were made to consumers on the National Do Not Call Registry. During the course of its investigation, the Commission reviewed and individually verified a sample of 10,000 illegal robocalls and proposed a forfeiture of \$4,500 for each verified call, for a total of \$45,000,000.

The Enforcement Bureau continues to sign memoranda of understanding (“MOUs”) with state attorneys general for robocalling investigations, with agreements now in place with 27 states plus the District of Columbia. According to the FCC, these MOUs establish critical information sharing and cooperation structures to investigate spoofing and robocall scam campaigns, and partnering with states can provide critical resources for building cases and preventing duplicative efforts in protecting consumers and businesses nationwide.

The Enforcement Bureau issued cease-and-desist letters to thinQ Technologies, Airespring, Hello Hello Miami, Great Choice Telecom, and TCA Voip, warning these voice service providers that they were apparently transmitting illegal robocalls on their networks and they had 48 hours to stop facilitating this traffic or face all their traffic being blocked by other providers. This means that the Enforcement Bureau has issued cease-and-desist letters to more than a dozen voice service providers to date.

EQUIPMENT MARKETING RULES

The Enforcement Bureau entered into a Consent Decree with an equipment manufacturer resolving an investigation into potential violations of the Commission's equipment marketing rules in connection with the company's marketing of vehicle dash cameras in the United States. The company admitted that it violated the FCC's requirements by marketing radiofrequency equipment prior to authorization, agreed to implement a compliance plan to ensure future compliance, and paid a \$75,000 civil penalty.

ANNUAL WORKSHEET FILING

The Enforcement Bureau issued two NALs proposing penalties of \$100,000 each against two different telecommunications providers for failing to timely file Annual Telecommunications Reporting Worksheets (Annual Worksheets) with the Universal Service Administrative Company ("USAC"), and failing to respond to Enforcement Bureau Letters of Inquiry ("LOI"). The NALs found that each company failed to file its Annual Worksheet over the course of several years, but concluded that the Enforcement Bureau could issue a fine for only the most recent failure due to the one year statute of limitations. The NALs calculated the \$100,000 proposed forfeiture for each company based on a \$50,000 base forfeiture for failing to file an Annual Worksheet, plus an upward adjustment of \$25,000, plus \$25,000 for failure to respond to the LOI.

PROHIBITED COMMUNICATIONS RULE

The Enforcement Bureau entered into a Consent Decree terminating its investigation into whether a communications company engaged in prohibited communications of its bidding and bidding strategies to other Auction 105 participants and failed to report prohibited communications in violation of the Commission's rules. To settle the matter, the company agreed to implement a compliance plan and pay a settlement amount of \$75,000. The company did not admit to liability.

BROADCAST EQUAL EMPLOYMENT OPPORTUNITY RULES

The Commission issued an NAL proposing a penalty of \$32,000 against the former licensee of five radio stations in Georgia for failing to: (i) upload its annual EEO public file report in the Stations' online public inspection files; (ii) upload its Annual Report to the Stations' websites; and (iii) analyze its EEO program.

BROADCAST CONTEST RULES

The Enforcement Bureau issued an NAL proposing a penalty of \$20,000 against a broadcast licensee for failing to conduct a contest substantially as announced or advertised and failing to maintain the contest's rules on the Station's website for at least 30 days after the end of the contest.

SIGNAL JAMMERS

The Commission denied reconsideration and upheld a Forfeiture Order imposing a \$22,000 penalty against an import company for using a signal jammer to prevent employees from using their mobile phones at work.