

FCC Enforcement Monitor

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HEADLINES

Pillsbury's communications lawyers have published the FCC Enforcement Monitor monthly since 1999 to inform our clients of notable FCC enforcement actions against FCC license holders and others. This month's issue includes:

- *Airport Transmissions Lead to FCC Notice of Unlicensed Operation*
- *FCC Issues Notice of Violation for Prolonged Tower Lighting Outage*
- *FCC Cuts Off Voice Provider Linked to Illegal Robocalls*

FCC Issues Notice of Unlicensed Operation for Unauthorized Aviation Frequency Use

Following a complaint of harmful interference at a Billings, Montana airport, the Denver office of the FCC's Enforcement Bureau issued a Notice of Unlicensed Operation (NOUO) to an aviation services provider operating at the airport.

According to the NOUO, the FCC's Denver field office received a complaint regarding unauthorized transmissions on 128.825 MHz at the Billings-Logan International Airport. The complaint alleged that the transmissions were causing interference to a licensed operator at the airport. During the investigation, an FCC agent located the source of the interference, and ultimately spoke with a provider of airport services, including charters, aircraft sales, and hanger space rentals. The provider confirmed it was operating radios on 128.825 MHz as part of its fixed-base operator support services at the airport. The FCC determined that no license had been issued authorizing the services provider to operate on that frequency.

Such unlicensed operations are prohibited by Section 301 of the Communications Act. In the NOUO, the FCC warned the services provider that operating without a valid authorization violates federal law and could result in "substantial monetary fines, *in rem* seizure of the offending radio equipment, and criminal sanctions including imprisonment."

The NOUO directed the company to immediately cease the transmissions and to not resume them unless it obtained the necessary FCC authorization. It gave the company 10 days to provide any evidence of authority to operate on that frequency, at which point the FCC will "determine what, if any, enforcement action is required to ensure your compliance with the Commission's rules."

Michigan Tower Owner Cited for Failing to Maintain Required Obstruction Lighting

The FCC's Enforcement Bureau issued a Notice of Violation (NOV) to a Michigan tower owner for failing to maintain required obstruction lighting.

According to the NOV, an agent from the FCC's Chicago field office inspected the tower in November 2025 and found that its obstruction lighting was not operating as specified in the Antenna Structure Registration (ASR) database. Section 17.23 of the FCC's Rules requires that antenna structures be painted and lighted in accordance with their registration. The ASR for the tower required medium intensity white obstruction lighting at night, including a top-level strobe and two mid-level strobes. At the time of the inspection, however, all of the required lighting was dark except for a single low-intensity, non-strobing white light that did not comply with Federal Aviation Administration specifications.

The NOV states that the lighting outage had persisted for an extended period of time. Section 17.56 of the FCC's Rules requires that lighting outages be repaired "as soon as practicable." According to the NOV, the tower owner had acknowledged the outage to an FCC agent as early as February 2025 and indicated that repairs were underway. Over the following months, the tower owner continued to report that repairs were in progress, including plans to install a new lighting system, but the structure remained unlit through at least the November 2025 inspection.

The NOV requires that the tower owner submit a written response to the FCC within 20 days fully explaining each alleged violation and all relevant surrounding facts and circumstances, including the specific actions taken to correct any violations and prevent them from recurring. The response must include a timeline for completing any corrective actions to address the violations, and must be supported with an affidavit or declaration from an authorized officer of the tower owner. While the NOV does not itself impose a fine, the FCC may take additional enforcement action after reviewing the response, including issuing a Notice of Apparent Liability for Forfeiture.

FCC Orders Robocall-Linked Voice Provider to Be Cut Off From U.S. Networks

The FCC has taken action against a voice service provider it says was helping route illegal robocalls, ultimately ordering other phone companies to stop carrying its traffic and effectively cutting it off from U.S. networks.

The FCC's Enforcement Bureau first issued a Notification of Suspected Illegal Traffic (Notice) to the provider in September 2025, informing the provider that the FCC had traced a series of suspicious calls to its network. Those calls involved prerecorded messages sent to consumers without consent, including scams impersonating internet service providers. Industry traceback efforts also linked additional calls to schemes impersonating financial institutions and border protection services.

Under the FCC's robocall rules, voice providers that receive this type of notice must investigate the traffic, stop it, and report their findings back to the FCC. In this case, the FCC found that the provider did not respond in any meaningful way. Despite acknowledging receipt of the notice, the provider did not submit a report, did not demonstrate that it had stopped the calls, and continued to transmit similar traffic.

As a result, the FCC escalated the matter in February 2026 by issuing an Initial Determination Order and Order to Show Cause (IDO). The IDO warned that if the provider failed to act, the FCC could require downstream carriers to block all of its traffic and could remove it from the FCC's Robocall Mitigation Database (RMD), a key registry that allows providers to exchange calls on U.S. networks. The FCC also found that the provider's RMD certification was deficient. Providers in the RMD must certify that they will take reasonable steps to prevent illegal robocalls and cooperate with FCC investigations. By failing to respond to the FCC's notice or take action to stop the calls, the agency concluded that the provider had not lived up to those commitments. The provider failed to respond to the FCC's IDO.

In March 2026, the FCC followed through by issuing a Final Determination Order and Removal Order (Removal Order). In the Removal Order, the FCC noted that the provider had still not responded to either the original Notice or the IDO, and had continued to transmit suspicious robocall traffic. The FCC then directed all downstream providers to block and cease accepting the provider's traffic beginning 30 days after release of the Removal Order. The FCC also ordered the provider's RMD certification be removed from the database, which means that other intermediate and voice service providers are no longer permitted to carry its calls at all (with the exception of calls to 911 or other emergency numbers).

In practical terms, the FCC's action shuts down the provider's ability to route calls into U.S. networks unless and until it receives approval to re-enter the database. The FCC emphasized that preventing illegal robocalls is a top consumer protection priority, and that failure to cooperate with investigations or mitigate unlawful traffic can lead to swift and significant consequences.