

FCC Enforcement Monitor

August 2026

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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:

- *Georgia GMRS Licensee Receives Notice of Violation for Improperly Linking Repeaters*
- *FCC Cites Electronic Billboard Owner in Colorado for Years of Harmful Interference*
- *Three Texas FM Translators Cited for Retransmitting Wrong Primary Station*

Improperly Linked Repeaters Generate Notice of Violation for Georgia GMRS Licensee

The FCC's Enforcement Bureau issued a Notice of Violation (NOV) to a Georgia General Mobile Radio Service (GMRS) licensee for improperly linking multiple GMRS repeaters via the internet. Linking the repeaters allowed them to simultaneously retransmit radio messages over a larger geographic area than permitted under FCC rules.

GMRS is a mobile two-way voice communications service used for local communications needs such as vehicle to vehicle, neighborhood watch, and outdoor group activities. It relies on only eight frequency pairs nationwide, which the FCC states are shared by more than 300,000 active GMRS licensees and millions of Family Radio Service users. Because the available spectrum is limited, GMRS licensees must cooperate in the use of the frequencies. GMRS was created as a service for relatively short-range communications, and as a result, the same frequency can be used in multiple locations as long as the distance between those locations is sufficient to prevent interference from occurring.

According to the NOV, Enforcement Bureau agents from the FCC's Atlanta office monitored several repeaters owned by the licensee in February 2026. Their investigation indicated that the repeaters were connected through the internet, but that the internet connections were not being used solely to control the stations remotely. Instead, they were used to send voice messages to multiple repeaters for simultaneous transmission over their respective frequencies.

The NOV states that "[l]inking multiple repeaters is not in the public interest because it enables the retransmission of messages over much larger geographic areas, thereby limiting localized availability of the GMRS channels, monopolizing a limited spectrum resource, and increasing the potential for interference." FCC rules permit GMRS repeaters to be connected to telephone networks or the internet only for the purpose of remotely controlling a GMRS station, not for relaying messages that are then retransmitted by that station.

The NOV requires the licensee to submit a written response within 20 days fully explaining the alleged violation and the surrounding facts and circumstances, including the specific actions taken to correct the violation and prevent recurrence.

The response must include a timeline for completing any pending corrective actions and be supported by an affidavit or declaration from the licensee under penalty of perjury. 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.

Electronic Billboards Cause Harmful Interference to Wireless Communications

The FCC's Enforcement Bureau issued a Citation and Order (Citation) to the operator of two electronic billboards in Colorado that the FCC says have caused harmful interference to a wireless carrier's licensed communications network for more than four years. The Citation directs the billboard operator to immediately stop using the interference-causing billboards, noting that future violations could result in fines of up to \$25,132 per day for each device causing harmful interference.

The FCC began its investigation in January 2022 after receiving a complaint of radiofrequency interference in the 600 MHz and 700 MHz bands at a nearby wireless communications site. FCC agents traced the interference to two electronic billboards mounted atop a building. In April 2022, the Enforcement Bureau sent the billboard operator a warning letter explaining that the billboards were causing harmful interference to licensed wireless operations and directing that their operation be discontinued immediately.

Because they emanate radiofrequency energy, electronic billboards are deemed unlicensed devices permitted to operate under Part 15 of the FCC's Rules. Part 15 devices may operate at low power without a license, but only on the condition that they do not cause harmful interference. Pursuant to Section 15.5(c) of the FCC's Rules, if the FCC notifies an operator that a Part 15 device is causing harmful interference, the operator must stop using the device immediately and cannot resume operation until the source of the interference has been corrected.

According to the Citation, the billboard operator acknowledged receiving the FCC's 2022 warning letter but continued operating the billboards. The operator also refused an FCC agent's later request to access the property to conduct additional testing and inspect the billboards and related equipment. FCC agents subsequently observed the billboards continuing to operate and cause interference on multiple occasions between 2022 and 2025, notifying the operator again in 2023 that the billboards needed to be shut down until the interference was resolved. However, during testing in June 2024, agents again detected the interfering signal at the wireless communications site and found no other potential sources of interference. In June 2026, the company that submitted the initial interference complaint reported that the interference was continuing.

The Enforcement Bureau concluded that the billboard operator violated the Communications Act of 1934 and FCC rules by operating devices that cause harmful interference to licensed wireless communications, failing to eliminate the interference after being notified by the FCC, and continuing to operate the devices after being directed to stop.

Because billboard operators are not otherwise regulated by the FCC, Section 503(b)(5) of the Communications Act generally prevents the Commission from imposing a fine unless it first issues a citation, provides the violator a reasonable opportunity to respond, and the violator subsequently engages in the conduct described in the citation. The Citation therefore puts the billboard operator on notice that future violations may result in fines of up to \$25,132 for each violation or each day of a continuing violation, up to \$188,491 for any single act or failure to act. In assessing a future fine, the FCC may consider both the conduct that resulted in the Citation and conduct occurring afterward.

The Citation directs the billboard operator to immediately cease operating the interfering billboards. It also requires the operator to submit a response to the FCC within 30 days providing information about the billboards and related equipment, confirming that the billboards have been deactivated or explaining the steps taken to eliminate the interference, and describing measures taken to prevent future violations. The response must be supported by an affidavit or declaration under penalty of perjury from the billboard operator.

Three Texas FM Translators Draw Notices of Violation for Failing to Retransmit Their Primary Stations

The FCC's Enforcement Bureau issued Notices of Violation (NOVs) to the licensees of three Texas FM translator stations after field inspections found that the translators were not retransmitting the primary stations specified in their FCC authorizations. Two of the translators are located in Houston, and the third in Fort Worth.

FM translators are secondary broadcast stations used to retransmit the signal of an authorized AM or FM station, or that of another broadcast translator station, in areas where the primary station's signal is too weak to receive. Section 74.1231(e) of the FCC's Rules provides that "[a]n FM translator shall not deliberately retransmit the signals of any station other than the station it is authorized to retransmit. Precautions shall be taken to avoid unintentional retransmission of such other signals."

According to the NOVs, agents from the FCC's Dallas office inspected the two Houston translators in May 2026 and the Fort Worth translator in June 2026 after receiving complaints. In each instance, the agents found that the translator was not retransmitting the primary station identified in its license. One of the Houston translators also had a construction permit identifying a different primary station, but the FCC noted that the translator was not retransmitting that station either.

Each NOV requires that the respective licensee submit a written response to the FCC within 20 days fully explaining the alleged violation and all relevant surrounding facts and circumstances, including the actions taken to correct the violation and prevent recurrence. The responses must include a timeline for completing any pending corrective actions and be supported by an affidavit or declaration from an authorized officer of the licensee with personal knowledge of the facts. The FCC will then determine whether to take any additional enforcement action against the licensee.