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**For Immediate Release**

**FCC PROPOSES A NEARLY \$10 MILLION FINE FOR SPOOFED  
ROBOCALLS DURING CALIFORNIA STATE ELECTION**

***San Diego-Area Telemarketer Apparently Spoofed Competitor's Phone Number to  
Spread False Allegation Against State Assembly Candidate***

WASHINGTON, December 12, 2019—The Federal Communications Commission today proposed to impose a \$9,997,750 fine on Kenneth Moser and his telemarketing company Marketing Support Systems for apparently making more than 47,000 unlawful spoofed robocalls over a two-day period. Moser apparently unlawfully spoofed the telephone number assigned to another telemarketing company when transmitting prerecorded voice calls containing false accusations against a political candidate shortly before California's 2018 primary election.

Moser was in the business of providing robocall services, including political robocalls, to others. On May 30 and 31, 2018, Moser apparently made 47,610 robocalls that appeared to originate from a different telemarketing company, HomeyTel, with which Moser has had a long and contentious relationship. As a result of these calls, HomeyTel, which advertises that it provides legal robocalling services to political candidates, received a multitude of complaints from consumers who received the calls, and a cease-and-desist letter from the candidate.

The calls took place about one week prior to the primary election for the California State Assembly. The calls made allegations about a specific candidate which had already been investigated and disproven by the San Diego County Sheriff's Department. The California Secretary of State referred a complaint about the matter to the FCC's Enforcement Bureau, which investigated, resulting in today's proposed fine.

The Truth in Caller ID Act prohibits manipulating caller ID information with the intent to defraud, cause harm, or wrongfully obtain anything of value. In this case, Moser himself apparently selected HomeyTel's phone number to appear as the caller ID with the intent to cause harm to HomeyTel and others.

In addition to finding that Moser apparently violated the Truth in Caller ID Act, the Commission's Enforcement Bureau found that Moser sent more than 11,000 prerecorded voice messages to wireless phones, without consent, in violation of the Telephone Consumer Protection Act's (TCPA). The Enforcement Bureau found that Moser also violated the TCPA's requirement that prerecorded messages include the phone number and identity of the entity responsible for initiating the call. As a result, the Bureau also issued a citation for TCPA violations.

The proposed Commission action, formally called a Notice of Apparent Liability for Forfeiture, or NAL, contains only allegations that advise a party on how it has apparently violated the law and may set forth a proposed monetary penalty. The Commission may not impose a greater monetary penalty in this case than the amount proposed in the NAL. Neither the allegations nor the proposed sanctions in the NAL are final Commission actions. The party will be given an opportunity to respond and the Commission will consider the party's submission of evidence and legal arguments before acting further to resolve the matter.

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*This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).*