

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Mobile Relay Associates,)	File No.: EB-FIELDWR-13-00006950
Licensee of Station WPPF234, Malibu, CA)	NAL/Acct. No.: 201532900001
)	FRN: 0001532027

MEMORANDUM OPINION AND ORDER

Adopted: July 13, 2021

Released: July 14, 2021

By the Commission: Acting Chairwoman Rosenworcel issuing a statement.

I. INTRODUCTION

1. Mobile Relay Associates (Mobile Relay) filed an Application for Review (Application)¹ of an Enforcement Bureau *Memorandum Opinion and Order (MO&O)* that denied Mobile Relay’s petition for reconsideration of a *Forfeiture Order* imposing a \$25,000 fine.² In the *MO&O*, the Bureau affirmed a monetary forfeiture against Mobile Relay for failing to monitor and to take other precautions to avoid causing harmful interference to a co-channel licensee operating on a shared channel, as required by the Commission’s private land mobile radio service rules.³ We have considered the Application and, for the reasons discussed below, we deny it.

II. BACKGROUND

2. *Legal Framework.* The Communications Act of 1934, as amended (Act),⁴ and the Commission’s rules permit parties to actions taken on delegated authority to seek review by the full Commission. Specifically, section 5(c)(4) of the Act states that a party “aggrieved by [an action taken on delegated authority] may file an application for review by the Commission . . . and every such action shall be passed upon by the Commission.”⁵ Section 1.115 of the Commission’s rules establishes the procedural rules for filing applications for review.⁶

3. The relevant private land mobile radio service rules are found in part 90 of the Commission’s rules. Unless specified otherwise, frequencies assigned to private land mobile radio stations are available on a shared basis.⁷ Section 90.403(c) of the Commission’s rules requires that “[e]xcept for stations that have been granted exclusive channels under this part and that are classified as commercial mobile radio service providers pursuant to part 20 of this chapter, each licensee must restrict all transmissions to the minimum practical transmission time and must employ an efficient operating

¹ Application for Review of Mobile Relay Associates (filed Sept. 2, 2020) (on file in EB-FIELDWR-13-00006950).

² *Mobile Relay Associates, Licensee of WPPF234, Malibu, California*, Memorandum Opinion and Order, 35 FCC Rcd 8184 (EB 2020).

³ *Id.* at 8190; see *Mobile Relay Associates, Licensee of WPPF234, Malibu, California*, Forfeiture Order, 30 FCC Rcd 13642 (EB 2015) (*Forfeiture Order*), *aff’g* Notice of Apparent Liability for Forfeiture, 30 FCC Rcd 7134 (EB 2015) (*NAL*).

⁴ 47 U.S.C. §§ 151, *et seq.*

⁵ 47 U.S.C. § 155(c)(4).

⁶ 47 CFR § 1.115.

⁷ 47 CFR § 90.173(a) (“Except otherwise specifically provided in this part, frequencies assigned to land mobile stations are available on a shared basis only and will not be assigned for the exclusive use of any licensee”).

procedure designed to maximize the utilization of the spectrum.”⁸ Section 90.403(e) requires licensees to “take reasonable precautions to avoid causing harmful interference[, which] includes monitoring the transmitting frequency for communications in progress and such other measures as may be necessary to minimize the potential for causing interference.”⁹ Section 90.187(b) of the Commission’s rules requires that trunked systems (such as the Station) “must employ equipment that prevents transmission on a trunked frequency if a signal from another system is present on that frequency. The level of monitoring must be sufficient to avoid harmful interference to other systems.”¹⁰

4. *Factual Background.* Mobile Relay is the licensee of multiple private land mobile radio service stations in the Los Angeles area, including station WPPF234, Malibu, California (Station).¹¹ Under its license, Mobile Relay is required to operate the Station as a trunked Industrial/Business Pool station and is authorized to operate on two of the Station’s assigned frequencies—151.7825 MHz and 152.2925 MHz—on a shared basis with other co-channel licensees in the area.¹² After receiving complaints from two licensees—Knotts Berry Farm and Eden Memorial Park (Eden)—that the Station was causing interference on shared frequencies, the Bureau issued a Notice of Violation to Mobile Relay for multiple rule violations, including the failure to (a) restrict the Station’s transmission to the minimum practical duration, (b) monitor the transmitting frequencies of other licensees, and (c) take reasonable precautions to avoid causing harmful interference.¹³ In response to the NOV, Mobile Relay asserted that its near-continuous use of the shared channel did not violate the Commission’s rules but that it had unilaterally reduced the Station’s operating power in an attempt to mitigate the interference.¹⁴

5. In June 2015, the Bureau determined that the Station was still causing harmful interference to Eden.¹⁵ The Bureau determined that the Station’s high occupancy rate (i.e., its 95% duty cycle) effectively precluded the Eden from using 152.2925 MHz, the frequency it shared with the Station.¹⁶ Accordingly, the Bureau issued the *NAL* proposing a \$25,000 fine against Mobile Relay for apparent willful and repeated violations of sections 90.187(b) and 90.403(e) of the Commission’s rules based on its near-continuous operation of the Station on a shared channel without employing monitoring equipment to prevent harmful interference to co-channel licensees.¹⁷ Given that two years passed since the issuance of the NOV for the same violations, the Bureau applied an upward adjustment for Mobile Relay’s egregious conduct and proposed an aggregate forfeiture of \$25,000.¹⁸ The Bureau subsequently

⁸ 47 CFR § 90.403(c).

⁹ 47 CFR § 90.403(e).

¹⁰ 47 CFR § 90.187(b). The rule contains two exceptions that are not applicable to this case. 47 CFR § 90.187(c), (d). Under the Commission’s rules, a trunked radio system is “[a] radio system employing technology that provides the ability to search two or more available communications paths and automatically assigns an open communication path to a user.” 47 CFR § 90.7.

¹¹ *Forfeiture Order*, 30 FCC Rcd at 13642-3, paras. 1 – 2.

¹² *See NAL*, 30 FCC Rcd at 7134, para. 2.

¹³ *Mobile Relay Associates*, Notice of Violation, V201332900014 (EB Mar. 20, 2013), <https://docs.fcc.gov/public/attachments/DOC-319851A1.pdf> (NOV).

¹⁴ *See NAL*, 30 FCC Rcd at 7136, para. 4.

¹⁵ *Id.* at 7137, para. 6.

¹⁶ *Id.* The specification of a duty cycle limits the number and length of transmissions which may occur in any specific time period. *See Amendment of Part 90 of the Commission’s Rules and Policies for Applications and Licensing of Low Power Operations in the Private Land Mobile Radio 450-470 MHz Band*, WT Docket No. 01-146, Report and Order, 18 FCC Rcd 3948, 3969, para. 51 (2003).

¹⁷ *NAL*, 30 FCC Rcd at 7137, para. 7.

¹⁸ *Id.* at 7140, para. 12.

imposed the full \$25,000 fine after considering and rejecting Mobile Relay's arguments in response to the *NAL*.¹⁹

6. In January 2016, Mobile Relay sought reconsideration of the Bureau's *Forfeiture Order*.²⁰ In its Petition, Mobile Relay made three arguments against the *Forfeiture Order*: (a) that the Bureau failed to provide sufficient notice that its 95% occupancy rate of the shared channel violated the Commission's part 90 rules; (b) that the Bureau abused its prosecutorial discretion by treating Mobile Relay differently from similarly situated licensees; and (c) that the Bureau was "punishing" Mobile Relay because of complaints that it filed against other private land mobile radio licensees.²¹ After considering the Petition, in August 2020, the Bureau rejected Mobile Relay's arguments, denied the Petition and affirmed the \$25,000 forfeiture.²²

7. On September 2, 2020, Mobile Relay filed the Application seeking our review of the *MO&O*. In the Application, Mobile Relay advances two core arguments. *First*, Mobile Relay renews its argument that it lacked notice that it was violating the Commission's rules. In this iteration of the argument, the Application asserts that the Bureau denied Mobile Relay due process because, despite the company's request, the Bureau did not notify the company that its unilateral mitigation efforts were insufficient before issuing the *NAL*, and that it lacked notice that its reduced-power operations at a 95% duty cycle violated the Commission's rules.²³ *Second*, Mobile Relay repeats its prior argument that the imposition of the \$25,000 fine constituted disparate treatment compared with similarly situated licensees.²⁴

III. DISCUSSION

8. After careful consideration of the record, we deny the Application and affirm the forfeiture penalty. As discussed below, the Application fails to establish that the Bureau denied Mobile Relay due process or that it treated the company differently from similarly situated licensees.

A. Mobile Relay Received Due Process

9. Throughout this proceeding, Mobile Relay has made various attempts to argue that its due process rights were violated because it lacked notice of the violations at issue in this matter. In the Application, Mobile Relay explains that it took "material steps to eliminate all interference" to the co-channel licensee following its receipt of the NOV by reducing the Station's effective radiated power from 100 Watts to 15 Watts.²⁵ Mobile Relay then explains that it asked Bureau's Los Angeles Field Office to advise if the interference nevertheless persisted.²⁶ Because it never heard back from the Los Angeles Field Office (prior to the *NAL*) or its co-channel licensees, Mobile Relay argues that the Bureau violated due process by not providing *additional* notice before issuing the *NAL*.²⁷

10. We agree with the Bureau's analysis in the *MO&O* and find that the due process arguments set forth in the Application are without merit.²⁸ The Commission satisfies its due process

¹⁹ *Forfeiture Order*, 30 FCC Rcd. at 13649, para. 14.

²⁰ Petition for Reconsideration of Mobile Relay Associates, (filed Jan. 4, 2016) (on file in EB-FIELDWR-13-00006950) (Petition).

²¹ See Petition at 7 – 14; *MO&O*, 35 FCC Rcd at 8186 – 87, para. 8.

²² *MO&O*, 35 FCC Rcd at 8190, para. 17-19. In denying the Petition, the Bureau rejected certain arguments by dismissing them as procedurally defective.

²³ Application at 1 – 2, 7 -8.

²⁴ *Id.* at 1 – 2, 8 – 11.

²⁵ *Id.* at 7.

²⁶ *Id.*

²⁷ *Id.* at 7 – 8.

²⁸ See *MO&O*, 35 FCC Rcd at 8187 – 88, paras. 11 – 12.

obligations when it complies with section 503 of the Act and affords parties the opportunity to be heard before imposing liability.²⁹ As a result, the Commission is not obligated “to inform the subject of an investigation that it is being investigated.”³⁰ A licensee’s knowledge of an ongoing investigation does not alter these fundamental aspects of the statutory forfeiture process.

11. Neither the Commission nor the Bureau was obligated to notify Mobile Relay, prior to issuing the *NAL*, that the company’s unilateral interference mitigation efforts were insufficient.³¹ We have long held that “[l]icensees are expected to know and comply with the Commission’s rules and regulations and will not be excused for violations thereof, absent clear mitigating circumstances.”³² In this regard, we agree with the Bureau’s longstanding view that “[n]othing in the Communications Act or the Commission’s Rules entitles a licensee to an opportunity to correct a violation prior to the issuance of a [Notice of Apparent Liability for Forfeiture]” and that licensees cannot simply “sit back and await Commission findings of violation before taking appropriate steps to ensure compliance with the Commission’s rules.”³³ Given the Bureau’s broad responsibilities and finite resources, it cannot always verify a licensee’s mitigation efforts, and licensees cannot impose such an obligation on the Commission by fiat. Accordingly, licensees cannot take the Bureau’s silence as affirmation that a violation has been cured or as suggestion of forbearance from future enforcement actions.

12. Mobile Relay also maintains that it lacked notice that its 95% duty cycle on a shared channel violated the Commission’s part 90 rules.³⁴ In this case, the Bureau imposed a forfeiture based on the totality of Mobile Relay’s conduct, which included extremely heavy usage of a shared channel, the inadequacy of its monitoring to avoid harmful interference to other systems, and Mobile Relay’s actual interference to Eden’s system.³⁵ Given the sum of Mobile Relay’s conduct, we need not opine on whether its near-continuous operation on a shared channel, standing alone, would have prompted the forfeiture. Accordingly, it is not necessary for us to quantify the “minimum practical transmission time” set forth in

²⁹ See 47 U.S.C. § 503; see, e.g., *Fabrice Polynice North Miami, FL, Harold Sido and Veronise Sido North Miami, FL*, Forfeiture Order, 33 FCC Rcd 6852, 6858-59, paras. 16-17 (2018); *Application for Review of Stephen Paul Dunifer, Berkeley, California*, Memorandum Opinion and Order, 11 FCC Rcd 718, 729, para. 28 (1995). Indeed, Mobile Relay’s response to the *NAL* demonstrates that it was afforded due process to respond to the Bureau’s findings before any liability was actually imposed. See *Forfeiture Order*, 30 FCC Rcd at 13644, para. 5 (acknowledging receipt of Mobile Relay’s response to the *NAL*).

³⁰ *Sandwich Isles Communications, Inc., Waimana Enterprises, Inc., Albert S.N. Hee*, Forfeiture Order, 35 FCC Rcd 10831, 10852, para. 42 (2020).

³¹ Mobile Relay overlooks its obligations under section 90.173(b) of the Commission’s rules, which states that “[l]icensees of stations suffering or causing harmful interference are expected to cooperate and resolve this problem by mutually satisfactory arrangements.” 47 CFR § 90.173(b) (emphasis added). Mobile Relay had actual notice—through the NOV and, later the *NAL*—that it was causing harmful interference to a co-channel licensee, yet the Application and the record is devoid of any evidence that Mobile Relay made any attempt to cooperate with the impacted licensees to determine whether its reduction in power addressed the harm caused by its overuse of the shared channel. Mobile Relay also overlooks its affirmative obligation under section 90.187 to employ a “level of monitoring . . . sufficient to avoid harmful interference to other systems.” 47 CFR § 90.187(b).

³² *K&M Radio, Inc., Licensee of Radio Station WEGP, Presque Isle, Maine*, Memorandum Opinion and Order, 25 F.C.C.2d 916, 917, para. 4 (1970); see also *Blanca Telephone Company v. FCC*, 991 F.3d 1097, 1118 (10th Cir., Mar. 15, 2021) (imputing “specialized knowledge” of the Act and the Commission’s rules to a telecommunications carrier).

³³ *Ondas de Vida, Inc., Licensee of FM Translator Station K256BS, Palmdale, California*, Memorandum Opinion and Order, 35 FCC Rcd 8163, 8165, para. 8 (EB 2020), quoting *Missouri RSA No. 2 Partnership d.b.a. Alltel*, Forfeiture Order 18 FCC Rcd 12653, 12654, para. 6 (EB 2003) (*Missouri RSA Forfeiture Order*); see *Radio X Broadcasting Corporation, Bayamon, Puerto Rico*, Memorandum Opinion and Order, 19 FCC Rcd 18690, 18692, para. 7 (EB 2004) (following *Missouri RSA Forfeiture Order*), review denied, Memorandum Opinion and Order, 21 FCC Rcd 12209 (2006).

³⁴ See Application at 2.

³⁵ *Forfeiture Order*, 30 FCC Rcd at 13646, para. 10.

section 90.403(c) of the Commission's rules for Mobile Relay to have been on notice regarding proper usage of a shared channel.³⁶

13. We find that Mobile Relay has received the due process to which it is entitled under the Commission's forfeiture rules. We therefore deny the Application with respect to its assertions that the Bureau erred by providing Mobile Relay with insufficient notice.

B. Mobile Relay Fails to Show Disparate Treatment

14. Mobile Relay contends that, in imposing the \$25,000 forfeiture, the Bureau engaged in disparate treatment compared with similarly situated licensees conduct that is prohibited under *Melody Music v. FCC* and its progeny.³⁷ Specifically, Mobile Relay points to two licensees—San Gabriel Transit and Acumen Communications—that it contends were similarly situated yet received less severe sanctions by the Bureau. After reviewing the Application and the entire record, we find that the facts surrounding the investigation and sanctions of San Gabriel Transit and Acumen Communications are distinguishable from those presented in this case, and we therefore reject Mobile Relay's arguments and affirm the *MO&O*.

15. The Application asserts that “the relevant comparison here is between [Mobile Relay] and [San Gabriel Transit]” because, according to Mobile Relay, San Gabriel Transit's conduct “forced [Mobile Relay] to move all of the customers onto the channels shared with [complainant licensee] Eden.”³⁸ First, Mobile Relay is incorrect when it asserts that “the Bureau never took the slightest action against [San Gabriel Transit].”³⁹ The Bureau issued a Notice of Violation to San Gabriel Transit after it investigated Mobile Relay's complaint.⁴⁰ Subsequently, San Gabriel Transit's license lapsed, and it ceased operating its interfering station.⁴¹ By contrast, after receiving its NOV, Mobile Relay responded that it had reduced the Station's power, but did nothing to address the fact that on the shared channel, the Station was only silent 5 seconds out of every 5 minutes to allow other co-channel licensees to attempt to use the shared channel—behavior that persisted when the Bureau investigated the Station in 2015.⁴²

16. Second, we reject Mobile Relay's argument that, because the Station temporarily received harmful interference from San Gabriel Transit on an exclusive channel, Mobile Relay was allowed to engage in spectrum self-help and effectively treat a shared channel as exclusive, without consideration of the interference it might cause to co-channel licensees. Mobile Relay operates in a crowded spectrum market, and countenancing Mobile Relay's self-help using a shared channel would set an unsustainable precedent for other licensees operating in Los Angeles or similarly crowded markets. We also reject this comparison for purposes of a *Melody Music* analysis. Accordingly, we find that Mobile Relay and San Gabriel Transit are not similarly situated licensees.⁴³

³⁶ 47 CFR § 90.403(c).

³⁷ Application at 8 – 11; *Melody Music, Inc. v. FCC*, 345 F.2d 730 (D.C. Cir. 1965).

³⁸ Application at 9.

³⁹ *Id.*

⁴⁰ *San Gabriel Transit, Inc., Licensee of Station WPMY670, Palos Verdes, California*, Notice of Violation, V201332900012 (EB Mar. 20, 2013), <https://docs.fcc.gov/public/attachments/DOC-319849A1.pdf>.

⁴¹ See License File for WPMY670, <https://wireless2.fcc.gov/UlsApp/UlsSearch/license.jsp?licKey=1803330> (WPMY670 License File).

⁴² Response to Notice of Violation of Mobile Relay Associates at 2, 8 (filed April 5, 2013) (on file in EB-FIELDWR-13-00006950); see *supra* para. 5.

⁴³ The Application's assertion that San Gabriel Transit's conduct triggered Mobile Relay's decision to dominate a shared channel is logically inchoate. The last complaint about San Gabriel Transit's conduct that Mobile Relay attached as an exhibit in this proceeding was dated August 9, 2014. See Petition, Exh. 1 at 3. The license to San Gabriel Transit's station WPMY670 expired on March 31, 2014. See WPMY670 License File. In October 2014, the Bureau attempted to observe whether WPMY670 was still operating and determined that it was not. Yet the

(continued....)

17. The Application's focus on the *Acumen Forfeiture Order* as an example of the Bureau's supposed disparate treatment is similarly misplaced.⁴⁴ Mobile Relay and Acumen are not similarly situated licensees and the cases are therefore distinguishable. In the *Acumen Forfeiture Order*, the Bureau imposed a \$17,000 forfeiture based on *two days* of operating without authority and failing to take steps to reduce interference to other licensees.⁴⁵ Here, after receiving the NOV, Mobile Relay failed to take the most basic step—consulting Eden—to determine whether reducing the Station's power level (while maintaining a 95% duty cycle) mitigated the harmful interference that the Station was causing.⁴⁶ When, two years later, Mobile Relay was still causing harmful interference to Eden, the Bureau correctly determined that Mobile Relay's conduct was egregious and applied a comparatively modest upward adjustment.⁴⁷

18. We also note that, contrary to the Application's suggestion, the Bureau appropriately referenced its decision in *Public Safety Technologies* (which was issued after the *Forfeiture Order*) to rebut the underlying Petition's disparate treatment argument.⁴⁸ The Bureau's decision in *Public Safety Technologies* simply showed that the Bureau, in the context of enforcement actions involving continuous operation on a shared channel over a period of years, followed the same approach for upward adjustments used in the *Forfeiture Order* in a later case, as well.⁴⁹ Based on the foregoing, we deny the Application with respect to the disparate treatment allegations, as it fails to demonstrate that Mobile Relay was treated differently from similarly situated licensees.

IV. CONCLUSION

19. Upon review of the Application and the entire record, we conclude that Mobile Relay fails to demonstrate that the Bureau erred. The Enforcement Bureau properly decided the matters raised in the *MO&O*, and we uphold its decisions for the reasons stated herein and therein and affirm the imposition of the \$25,000 monetary forfeiture against Mobile Relay.

violations in the *NAL* are based on Mobile Relay's conduct in June 2015, well after San Gabriel Transit ceased operating on WPMY670. See *NAL*, 30 FCC Rcd at 7137, para. 6. Accordingly, even if we agreed with Mobile Relay's argument—which we categorically do not—the factual basis for its unauthorized self-help was not present at the time of the violations at issue in this case.

⁴⁴ *Acumen Communications*, Forfeiture Order, 30 FCC Rcd 6472 (EB 2015) (*Acumen Forfeiture Order*).

⁴⁵ *Id.* at 6475, para. 10.

⁴⁶ The *Acumen Forfeiture Order* is further distinguishable from the present case because it was part of a larger investigation of the company that ultimately resulted in the revocation of Acumen's licenses. Mobile Relay is well aware of the scope of the investigation of Acumen, as it actively participated in the revocation proceeding. See, e.g., Mobile Relay Associates, Second Supplement to Petition to Deny and First Supplement to Informal Objection, Applications of Acumen Communications for Modification of Various Licenses in the Private Mobile Radio Services in California, File Nos. 005614865, 0005834762, 0005839763, 0005840938, 0005962267, and 0006039610, at 1-2 (filed Jul. 15, 2015). While the revocation proceeding primarily focused on Acumen's candor in license application, the Bureau's *Revocation Order* expressly incorporates Mobile Relay's argument that Acumen lacked candor during the investigation gave rise to the *Acumen Forfeiture Order*. See *Acumen Communications, Licensee of Various Authorizations in the Wireless Radio Services*, Order of Revocation, 33 FCC Rcd 4, 8–9, para. 15 (EB 2018) (*Revocation Order*). As a party to the revocation proceeding, Mobile Relay was served a copy of the Bureau's *Revocation Order* against Acumen. *Id.* at 10, para. 20. Given its reliance on the *Acumen Forfeiture Order* in its disparate treatment argument and its active participation in the license revocation proceeding, Mobile Relay's failure to account for the related *Revocation Order* is disingenuous, at best.

⁴⁷ See *Forfeiture Order*, 30 FCC Rcd at 13648, para. 13.

⁴⁸ See *MO&O*, 35 FCC Rcd at 8189, para. 14.

⁴⁹ See *Public Safety Technologies, Inc., Licensee of Station WQJM334*, Forfeiture Order, 32 FCC Rcd 7433, 7434, para. 2 (EB 2017), *aff'g* Notice of Apparent Liability for Forfeiture, 31 FCC Rcd 10477 (EB 2016).

V. ORDERING CLAUSES

20. **ACCORDINGLY, IT IS ORDERED** that, pursuant to section 5(c)(5) of the Act and section 1.115 of the Commission's rules, the Application for Review filed by Mobile Relay Associates **IS DENIED**.⁵⁰

21. **IT IS FURTHER ORDERED** that the *MO&O* **IS AFFIRMED** and that pursuant to section 503(b) of the Act and section 1.80 of the Commission's rules, Mobile Relay Associates **SHALL PAY A MONETARY FORFEITURE** in the amount of Twenty-Five Thousand Dollars (\$25,000) as specified in the *MO&O*.⁵¹

22. **IT IS FURTHER ORDERED** that a copy of this *Memorandum Opinion and Order* shall be sent by first class mail and certified mail, return receipt requested, to Mobile Relay Associates, P.O. Box 19, Paramount, California 90723-0019, and to its counsel, David J. Kaufman, Esquire, Rini O'Neil, PC, 1200 New Hampshire Avenue, NW, Suite 600, Washington, DC 20036.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

⁵⁰ 47 U.S.C. § 155(c)(5); 47 CFR § 1.115.

⁵¹ 47 U.S.C. § 503(b); 47 CFR § 1.80.

**STATEMENT OF
ACTING CHAIRWOMAN JESSICA ROSENWORCEL**

Re: *In the Matter of Mobile Relay Associates, Licensee of Station WPPF234, Malibu, CA*, File No.: EB-FIELDWR-13-00006950.

It was in 2013 when the Federal Communications Commission's Field Office in Los Angeles first issued a Notice of Violation against Mobile Relay Associates. It alleged that Mobile Relay Associates was operating a station on a channel that it was supposed to share, causing harmful interference to others that were playing by the rules.

This was the beginning of a long process—one that quite frankly, takes too long. In a series of filings Mobile Relay Associates contested the findings of our Field Office, disputing the initial Notice of Violation and subsequent enforcement activity. We have given them time. We have carefully considered each argument. But now we bring the effort that began in 2013 to conclusion and affirm the monetary forfeiture against the company.

I believe that with interference allegations like this the agency can act more swiftly while also fulfilling its due process obligations. After all, our airwaves are getting more crowded, which means we are facing new sources of interference to a resource that is increasingly important to our economic and national security. That is why I am having the agency develop new timeliness goals for case resolution. I believe that doing so will foster fairer and more consistent enforcement with better results for the public.

Thank you to the staff of the Enforcement Bureau for the many years they spent on this effort, including Matt Gibson, Lark Hadley, Rosemary Harold, Christopher Killion, Jeremy Marcus, Janet Moran, Joy Ragsdale, Axel Rodriguez, Ashley Tyson, and the Field Agents in the Los Angeles Field Office. Thank you also to David Horowitz, Linda Oliver, William Richardson, and Anjali Singh from the Office of General Counsel and Lloyd Coward and Jessica Quinley from the Wireless Telecommunications Bureau.