

Telecom Alert: Marketing Violations Fine; CTIA Request for Regulation; Regulatory Fee Methodology; Q3 USF Contribution Factor; CBRS NPRM Circulated [Vol. XXI, Issue 25]

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\$367,436 Fine for Marketing Violations

The FCC proposed a \$367,436 [fine](#) against ASUSTeK Computer Inc. and its wholly owned subsidiary Asus Computer International (the "Companies") for apparent violations of the Commission's equipment marketing rules. The Commission's rules require FCC authorization before a radio frequency device subject to certification may be marketed, and requires proper identification and labeling of the equipment. The FCC found that the Companies modified two equipment models to operate in excess of their previously authorized power limits without seeking additional FCC authorization.

CTIA Request for Streetlight Pole Regulation

CTIA, the wireless trade association, filed a [letter](#) with the FCC asking the Commission to revisit CTIA's request that the FCC regulate attachments to streetlight-only poles (at least those poles owned by IOUs in the 27 states where the FCC has jurisdiction). You may recall a 2020 FCC order declined to address CTIA's request. CTIA's letter cites nothing new to warrant FCC action, and utility arguments that such regulation would be counterproductive are as compelling now as before.

New Regulatory Fee Methodology for Space Stations

The FCC [adopted](#) a new methodology for assessing regulatory fees for small satellites and spacecraft, and will now include space stations that are principally used for Rendezvous and Proximity Operations or On-Orbit Servicing, including Orbit Transfer Vehicles, in the existing fee

category for “small satellites” on an interim basis. The Commission assesses and collects regulatory fees each year in an amount reasonably expected to equal the amount of its annual salaries and expenses. The changes will be effective for the fiscal year 2024 assessment and collection of regulatory fees.

Third Quarter USF Contribution Factor

The Office of Managing Director [announced](#) that the proposed universal service contribution factor for the third quarter of 2024 will be 34.4%. The FCC calculates the quarterly contribution factor based on the ratio of total projected quarterly costs of the universal service support mechanisms to contributors’ total projected collected end-user interstate and international telecommunications revenues, net of projected contributions. If the FCC takes no action regarding the projections of demand and administrative expenses and the proposed contribution factor by June 26, they shall be deemed approved.

CBRS Notice of Proposed Rulemaking Circulated

Chairwoman Jessica Rosenworcel [circulated](#) a Notice of Proposed Rulemaking seeking to update the Citizens Broadband Radio Service (“CBRS”) rules. The proceeding would seek comment on adding definitions related to the protection of federal incumbent users and modifying rules governing such protection. It would also propose to sunset rules related to the transition of grandfathered wireless broadband services in the 3.65-3.7 GHz band. Finally, the FCC would seek comment on aligning 3.5 GHz protection methodologies with adjacent bands, revisiting the Environmental Sensing Capability approval procedures, and facilitating the continued introduction of CBRS in areas outside the contiguous United States.

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National Law Review, Volume XIV, Number 169

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