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[\\$25,000 Fine for Broadcast of Telephone Conversations Without Permission](#)

Just two weeks after [rejecting a claim that the FCC's rule against the broadcast of a telephone conversation without permission was unconstitutional](#), the Commission's Enforcement Bureau made clear that it would not hesitate to enforce that rule - and enforce it vigorously. In a recent [decision](#), the Commission proposed a \$25,000 to a broadcaster who ran two different telephone conversations on the air without the prior permission of the people at the other end of the phone line. The broadcasts were carried on three different stations, and the licensee involved in the case (Spanish Broadcasting Systems) had been fined before for violations of this rule (Section 73.1206 of the FCC's rules), so the FCC felt that it needed to issue a fine that would make an impact - thus the significant fine that is far in excess of the fines normally seen in these kinds of cases.

Here, the violation was one of those traditional stunts with which broadcasters so often have had trouble in the past - **prank calls** to unsuspecting people, where the station employee pretends to be someone else until he springs the joke on the person being called - sort of a **Candid Camera for radio**. While the calls were apparently made at the suggestion of some friend or acquaintance of the person being called (with personal information about the person being called so that the call was geared to the person's real life to have maximum surprise and impact) - the fact was that the person being called had no idea that the call was being broadcast until after the prank had been played. While it may have made for entertaining radio in some people's eyes, it was a significant issue for the FCC resulting in this large fine. Broadcasters obviously need to be cognizant of the prohibition on broadcasts of this type, and avoid situations where the rule could apply, as the serious fine proposed here demonstrates that the FCC does not get the joke - and is prepared to make the broadcaster pay. Brief your on-air personnel. Violations of the rule can be very serious.

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