

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

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In the Matter of	)	
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Advanced Methods to Target and Eliminate	)	CG Docket No. 17-59
Unlawful Robocalls	)	
	)	
	)	

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**COMMENTS OF THE VOICE ON THE NET COALITION**

The Voice on the Net Coalition (“VON”)<sup>1</sup> respectfully files these brief comments in response to the Commission’s Fourth Further Notice of Proposed Rulemaking (“FNPRM”) seeking comments on steps to further protect consumers from robocalls and inform them about provider blocking efforts.<sup>2</sup> VON supports efforts to eliminate illegal robocalls, and has actively participated in industry efforts to implement the SHAKEN/STIR framework through its participation on the STI-GA board. VON appreciates the Commission’s continued engagement on the difficult balance between blocking illegal robocalls and wrongly blocking or mislabeling wanted calls - all of which have far-reaching implications for consumer confidence in the public telephone network.

**Blocking based on Caller ID authentication.** In the FNPRM, the Commission asks whether there may be instances where the Commission should allow voice service providers to block based in whole or in part on caller ID authentication.<sup>3</sup> At this time, the answer is no. Caller ID authentication should be considered with other reasonable analytics, as is now permitted. However, if voice service providers were allowed to block solely based on Caller ID authentication, this may lead to inadvertent blocking of calls with legitimate caller ID

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<sup>1</sup> The VON Coalition works to advance regulatory policies that enable Americans to take advantage of the promise and potential of IP-enabled communications, including interconnected Voice over Internet Protocol (“VoIP”). For more information, see [www.von.org](http://www.von.org).

<sup>2</sup> *Third Report and Order, Order on Reconsideration, and Fourth Further Notice of Proposed Rulemaking*, CG Docket No. 17-59 (rel. July 17, 2020); *see also* 85 Fed. Reg. 46063 (July 31, 2020), establishing the August 31, 2020 deadline for comments.

<sup>3</sup> FNPRM at ¶ 83.

substitution (e.g., user consents to having her mobile number displayed when calling from a smart home device; a school's main line phone number appears rather than a teacher's direct dial number or that school's main line phone number appears rather than the phone number for the third party contracted for making schoolwide emergency alert calls). This would undermine the practice of legitimate caller ID substitution to protect the privacy of the calling or called party, for example women's shelters, dating sites users, ride sharing or food delivery services.

**Customer monitoring.** The Commission seeks comments on its proposal to require voice service providers to take affirmative, effective measures to prevent new and renewing customers from using their networks to originate illegal calls.<sup>4</sup> VON opposes Commission adoption of any specific steps and instead recommends that each voice service provider develop its own plan to prevent the origination of illegal calls.<sup>5</sup> All voice service providers require customers to comply with laws (and many place limits on high-volume calling) and allow the service provider to terminate any customer does not comply. To the extent that that a voice service provider is made aware through the traceback consortium, law enforcement, the Commission, the Federal Trade Commission or others that its customer may be originating illegal calls, it will be the responsibility of the service provider to cooperate with the traceback consortium, investigate and ultimately determine whether termination is appropriate. That said, it's possible that there may be mitigation steps (for example not all the originating traffic is illegal) that might be more appropriate, within the confines of the agreement between the customer and the service provider.

**Timely notification of blocked calls.** The Commission asks whether and how callers should be notified when calls are blocked.<sup>6</sup> VON supports the proposal that would give voice service providers the flexibility to use SIP code 608 (call rejected) for this purpose for IP-IP

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<sup>4</sup> Id at ¶ 102.

<sup>5</sup> For example, voice service providers may choose to collect additional information from new commercial customers, as recommended by the State Attorneys General in their Anti-Robocall Principles, issued in August 2019 (see <https://www.natlawreview.com/article/state-attorneys-general-and-voice-service-providers-agree-anti-robocall-principles>, last visited August 28, 2020).

<sup>6</sup> Id. at ¶ 107.

calls, or other options as appropriate.<sup>7</sup> Optimally, the message would be provided at the time the call is blocked so that the calling party (or its originating voice service provider) could seek redress as early as possible from the blocking service provider. While the limitation may be that this is available only for IP-based calls, we would expect that the bulk of high-volume traffic may be originated on IP networks.<sup>8</sup>

**Responding to Disputes.** In the underlying Third Report and Order, the FCC required blocking providers to furnish a single point of contact to resolve unintended or inadvertent blocking.<sup>9</sup> In the FNPRM, the Commission now seeks comments on whether to establish a set time period for carriers to respond to such queries.<sup>10</sup> At this time VON does not believe that the Commission should establish a specific response time but should require that voice service providers use reasonable means to resolve disputes expeditiously. The concern is that it may take the voice service provider a few days obtain necessary additional information from the disputing party, as well as from its third-party analytics provider.

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<sup>7</sup> According to the IETF, the 608 code enables calling parties to learn that an intermediary (including possibly an analytics engine) rejected their call attempt and that information in the call header field may allow rejected callers to contact entities that may have blocked their calls in error. See <https://tools.ietf.org/html/rfc8688> (last visited August 21, 2020).

<sup>8</sup> VON also supports a requirement that terminating voice service providers promptly provide a list of individually blocked calls that were placed to a particular number at the request of the subscriber to that number. FNPRM at ¶ 111.

<sup>9</sup> FNPRM at ¶ 54. VON appreciates the Commission's acknowledgement that voice service providers could also offer web portals, chat bots, or other electronic means in addition to the single point of contact.

<sup>10</sup> Id. at ¶ 108.

**CONCLUSION**

The Commission should act in accordance with the recommendations herein.

Respectfully submitted,

VOICE ON THE NET COALITION

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