

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

In the Matter of	)	
	)	
Numbering Policies for Modern Communications	)	WC Docket No. 13-97
	)	
Telephone Number Requirements for IP-Enabled Service Providers	)	WC Docket No. 07-243
	)	
Implementation of TRACED Act Section 6(a) — Knowledge of Customers by Entities with Access to Numbering Resources	)	WC Docket No. 20-67
	)	
Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership	)	IB Docket No. 16-155
	)	

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

The Voice on the Net Coalition (VON)<sup>1</sup> submits these reply comments to comments filed in response to the Commission’s Second Further Notice of Proposed Rulemaking (FNPRM) regarding proposed rules imposing new obligations on interconnected VoIP providers authorized for direct access to telephone numbers from the Numbering Administrator.<sup>2</sup> In its initial comments, VON opposed 1) the application of new certification requirements and disclosure obligations to existing authorization holders and 2) the proposed requirement that direct

---

<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. For more information, see [www.von.org](http://www.von.org).

<sup>2</sup> *In the Matter of Numbering Policies for Modern Communications*, Second Report and Order and Second Further Notice of Proposed Rulemaking, Docket Nos. 13-97, 07-243, 20-67 and 16-155 (September 22, 2023) (“Second Further Notice”); see also, 88 Fed. Reg 208 at 74098 (October 30, 2023) (establishing a reply comment deadline of December 29, 2023).

authorization holders that sell, lease or otherwise provide numbers to another voice service provider (VSP) obtain certifications from those VSPs as if the VSP was applying for direct access itself. VON demonstrated that the proposed rules 1) are unnecessary, burdensome and will not protect against illegal robocalls; and 2) are anticompetitive in that they impose burdens on interconnected VoIP providers and their customers not applied to other direct access recipients.

### **I. The Burdens of the Proposed Rules Far Outweigh Any Benefit**

The FNPRM is replete with unnecessary proposed rules but the most egregious is the proposal to require direct access authorization holders that sell, lease or otherwise provide telephone numbers to a voice service provider (VSP) to obtain the same certifications, acknowledgements and disclosures the VSP would have provided had it applied for numbering resources itself, retain copies of such certifications, and provide a list to the Commission of those VSPs, including any updates within 30 days of adding a new VSP. Critically, the Commission offers no explanation how it would use the extensive data it proposes to collect, much less how the burden of such data collection is outweighed by any benefit. Several commenters agree.

As USTelecom persuasively explains “This would effectively put the direct access holder in the role of regulator, would generate massive amounts of paperwork and impose substantial burdens on time and personnel resources, and is not likely to be effective at curbing the problem.”<sup>3</sup> Verizon similarly notes that the obligation “would impose a substantial administrative burden on direct access providers” and “involve a significant outlay of resources

---

<sup>3</sup> Comments of USTelecom, WC Docket 13-97, filed November 29, 2023, at 3.

and employee time by each wholesale provider simply to track and manage the paperwork.”<sup>4</sup> VON also agrees with Telnix that the proposal is not likely “to have any additional impact on the robocall mitigation, but instead, would be a burdensome step that may take resources away from bona fide robocall mitigation efforts.”<sup>5</sup>

Further, as noted by the Cloud Communications Alliance, application of the rule is ambiguous. Does the obligation to collect the information only apply to interconnected VoIP providers that hold a direct access authorization and resell numbers, or does it also apply to local exchange carriers and competitive local exchange carriers? Similarly, must the indirect access recipient also be an interconnected VoIP provider, or could it be when numbers are provided to any voice service provider?<sup>6</sup>

The Commission fails to recognize that direct access and indirect access recipients are competing for customers, and indirect access recipients may look askance at providing what may be perceived as business sensitive confidential information. The inclusion of resellers in the robocall mitigation database (RMD), existing FCC rules allowing for blocking of illegal robocallers and the potential for removal from the RMD by service providers facilitating illegal robocalls, provides the Commission with sufficient enforcement capability. Deputizing VSPs to serve as regulatory police is not a helpful solution and will not reduce illegal robocalls.

The Commission similarly oversteps its authority by suggesting it can deny interconnected VoIP provider applications for direct access to telephone numbers based on

---

<sup>4</sup> Verizon Comments, WC Docket 13-97, filed November 29, 2023, at 3.

<sup>5</sup> Comments of Telnix, WC Docket 13-97, filed November 29, 2023, at 2.

<sup>6</sup> Comments of Cloud Communications Alliance, WC Docket 13-97, filed November 29, 2023, at 4-5.

alleged noncompliance with undefined state laws. As noted by Telnyx, the Commission fails to recognize the unique aspects of VoIP technology, and whether specific state laws should or should not apply to activities on that state.<sup>7</sup> Instead each VoIP provider, on its own, should determine whether there is the necessary economic nexus to subject the provider to regulations applicable to other businesses that may have actual presence in the state.

## CONCLUSION

The Commission should act in accordance with the recommendations herein

Respectfully submitted,

**VOICE ON THE NET COALITION**

*/s/ Glenn S. Richards*

Glenn S. Richards

Pillsbury Winthrop Shaw Pittman LLP

1200 Seventeenth Street, NW

Washington, DC 20036

(202) 663-8000

*Its Attorney*

December 29, 2023

---

<sup>7</sup> Comments of Telnyx, WC Docket 13-97, filed November 29, 2023, at 4-5.