

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

In the Matter of

Combatting Illegal Robocalls Through)	WC Docket No. 26-49
)	
Numbering Policies for Modern Communications)	WC Docket No. 13-97
)	
Telephone Number Requirements IP-Enabled Service Providers)	WC Docket No. 07-243
)	
Implementation of TRACED Act Section 6(a) – Knowledge of Customers by Entities with Access Numbering Resources)	WC Docket No. 20-67
)	

COMMENTS OF THE VOICE ON THE NET COALITION

The Voice on the Net (“VON”) Coalition¹ hereby submits these comments in response to the draft Notice of Proposed Rulemaking (the “Draft NPRM”) in the above-referenced dockets, scheduled for consideration at the Commission’s March 26, 2026, Open Meeting.² Specifically, VON has serious concerns with the draft proposals regarding resale of telephone numbers and recommends presenting these issues and questions as an accompanying Notice of Inquiry, allowing industry the opportunity to gather information before engaging in a rulemaking process that could impair a highly competitive resale market, or, in the alternative, removing Section IV.B, Limiting Resale of Numbering Resources to a “Single Level,”³ in its

¹ The VON Coalition works to advance regulatory policies that enable Americans to take advantage of the promise and potential of internet communications. See www.von.org.

² *Notice of Proposed Rulemaking*, WC Docket No. 26-49, WC Docket No. 13-97, WC Docket No. 07-243, WC Docket No. 20-67, FCC-CIRC 2603-02 (rel. March 5, 2026).

³ Draft NPRM at paras. 46-50. VON notes that there are no specific proposals in this section which raises concerns about the breadth of what could be adopted, in contravention of the Administrative Procedures Act, and supports VON’s position that this issue is best addressed, if addressed at all, in a Notice of Inquiry.

entirety until the Commission collects information necessary to support a proposal.

VON fully supports the Commission's objective to address illegal robocalls and agrees that the current NRUF reporting is not sufficient to give visibility into the resale market. But impeding the competitive number marketplace at this time is not an appropriate remedy. The Commission is assuming, without evidence or full appreciation how these proposed rules would impact non-voice markets, that access to telephone numbers for voice services through the resale market is a proxy for fraud and will mitigate illegal robocalling. Rather than adopt new, restrictive rules, the Commission should instead focus on collecting information on how the resale markets operate and on enforcement of its existing rules, including know-your-customer obligations, compliance with robocall mitigation obligations, STIR/SHAKEN implementation and attestation accuracy, and cooperation with the industry traceback process – all of which directly address illegal robocall and fraud mitigation in the voice market.

A. The Proposals as Written Would Impede Competition and Innovation in the Voice Market Without Evidence that they Would Limit Fraud

The existing system that allows for direct access and resale of phone numbers has given rise to a highly competitive communications ecosystem that has resulted in new, innovative products and services that benefit consumers. Thousands of service providers are offering products associated with phone numbers – whether voice, data, IoT, or messaging applications. New regulations that would restrict the resale of telephone numbers would only serve to stunt this growth and innovation.

Congress in the Telecommunications Act of 1996 recognized the importance of a vibrant resale market. In particular, Section 251(c)(4) imposes an obligation on incumbent local exchange carriers to offer for resale at wholesale rates, any telecommunications service that the carrier

provides at retail to its subscribers, and prohibiting or imposing unreasonable or discriminatory conditions on such resale.⁴ Any action by the Commission to limit resale of telephone numbers should be highly scrutinized, substantially supported by evidence that it will result in mitigation of illegal robocalls, and not outweighed by the harm to competition and consumers. Moreover, restricting number resale before a more thorough examination of the market and the opportunity to determine the effectiveness of other Commission initiatives that specifically address illegal robocalling represents a “Regulate First, Ask Later” policy approach that is contrary to President Trump’s deregulatory agenda.⁵

In addition, restrictions on number resale would have unintended consequences. Telephone numbers are used for far more than voice services. Numbering restrictions will also impact the non-voice market that is outside the scope of illegal robocalling. This includes text, both SMS and MMS; and other services that use telephone numbers as identifiers to provide non-voice services, including Rich Communications Services, WhatsApp, Internet of Things and other over-the-top applications.⁶ None of these are classified as telecommunications services or interconnected VoIP

⁴ 47 U.S. Code § 251(c)(4). Moreover, Section 201 of the Communications Act, mandating that carriers provide service upon reasonable request, and Section 202, prohibiting unlawful discrimination, have been interpreted as providing the FCC authority to deem unreasonable restrictions on resale unlawful. See, e.g., Resale and Shared Use of Common Carriers Services and Facilities, 60 FCC 2d 261 (1976), modified on other grounds (Resale and Shared Use Reconsideration Order), 62 FCC 2d 588 (1977), affd sub nom. AT&T v. FCC, 572 F.2d 17 (2d Cir. 1978), cert. denied, 439 U.S. 875 (1978) (holding that tariff provisions restricting resale violated Sections 201(b) and 202(a) of the Communication Act).

⁵ See, Unleashing Prosperity Through Deregulation, issued January 31, 2025, and found at <https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-prosperity-through-deregulation/>, and Reducing Anti-Competitive Regulatory Barriers, <https://www.whitehouse.gov/presidential-actions/2025/04/reducing-anti-competitive-regulatory-barriers/> (both last visited March 13, 2026).

⁶ VON notes that while sub-assignment restrictions have been adopted in certain European countries, in those countries you can utilize alphanumeric SenderIDs for messaging termination at low or no extra costs. In contrast, the US has very expensive and somewhat limited alternatives (e.g., short codes) if telephone numbers are not readily available.

by the Commission. Impeding the availability of these critical services (or those services yet to be developed) will not decrease the number of illegal robocalls.

B. A Notice of Inquiry Would be More Appropriate Because the Commission Does Not Have Sufficient Information to Support its Proposal

The Draft NPRM includes important proposals that may improve number access and utilization reporting and access to this information by state regulatory authorities. These proposals are primarily administrative and process improvements, whereas restrictions on the resale of telephone numbers represent a sea change from how the market operates today. If the Commission believes that this is the appropriate time to begin gathering information on telephone number resale and whether it has any bearing on illegal robocalling, it should do so in the context of a Notice of Inquiry, and/or consider convening meetings of industry stakeholders to better understand this complex ecosystem.

For example, the Commission should first examine how to increase transparency in the secondary market to understand if that market contributes to fraudulent practices. The existing Numbering Resource and Utilization Forecast (NRUF) report forms (FCC Form 502) were not intended to provide full transparency in the secondary market. The model may contain inaccuracies and lacks accountability without regular audits. The Commission should consider proposals advanced in the current NPRM to determine how to create a better reporting model before it drastically changes the current telecommunications market.

In addition, the Commission should also review how restrictions on number access adopted in other countries, such as France, have fared, including the burden on the regulator to oversee and enforce the new obligations, and the disparate cost impact on smaller service providers, who may be required to develop and bear the significant cost for the operational and

administrative infrastructure to manage their own telephone numbers.

C. The Commission Should Put the Questions on Subresale on Hold While It Prioritizes Existing Robocall Mitigation Efforts

The FCC has initiated several proceedings and adopted numerous rules to address illegal robocalling that are being finalized and implemented.⁷ Before entertaining new regulations that will substantially change an otherwise competitive numbering market, the Commission should first allow these policies to take effect and determine their efficacy before considering whether imposing restriction on the competitive numbering market is in the public interest. A fulsome analysis of existing and new initiatives specifically addressing robocall mitigation will increase clarity as to whether additional obligations and burdens should be imposed on voice service providers.

By way of example, rigorous implementation and enforcement of STIR/SHAKEN call authentication requirements remains essential.⁸ Ensuring that service providers are properly signing traffic, maintaining accurate information and meeting their recertification requirements in the Robocall Mitigation Database (RMD) would strengthen the integrity of the current voice calling ecosystem. Equally important is maintaining accountability for the data submitted to the RMD. Providers that fail to meet their obligations or submit inaccurate or misleading robocall mitigation plans should be held accountable for their actions, including potential removal from the database when appropriate.

⁷ Open proceedings are addressing critical issues including the transition to IP networks, requirement to better identify calling parties, and new limitations on holders of telephone number authorizations. See, e.g., Reply Comments of the Voice on the Net Coalition, WC Docket No. 25-304 (filed Feb. 19, 2026); Comments of the Voice on the Net Coalition, CG Docket No. 17-59 (filed Jan. 5, 2026); Comments of the Voice on the Net Coalition, WC Docket No. 20-67 (filed March 16, 2026).

⁸ That it's relatively easy to obtain STIR/SHAKEN tokens undermines imposing obligations on access to telephone numbers rather than focusing on voice traffic.

CONCLUSION

For the reasons discussed herein, the Commission should remove from the Draft NPRM proposals regarding restrictions on number resale, or in the alternative, have those questions addressed in an accompanying Notice of Inquiry.

Respectfully submitted,

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