

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

In the Matter of)
)
Rural Call Completion) WC Docket No. 13-39
)

**COMMENTS OF
WTA – ADVOCATES FOR RURAL BROADBAND**

WTA – Advocates for Rural Broadband¹ (“WTA”) responds to the Wireline Competition Bureau’s Public Notice² and files these comments in support of the Petition³ filed by NTCA – The Rural Broadband Association (“NTCA”) on June 11, 2018. NTCA requests that the “Commission reevaluate and reconsider its decision to not require covered providers to file their documented rural call completion monitoring procedures with the Commission.”⁴

WTA notes that over the last several years, Commission actions have helped to lessen the critical problem of long distance phone calls being dropped by intermediary providers – and thus these calls not being delivered to their final destinations in rural areas. WTA hopes that those continued actions along with the implementation of the

¹ *WTA - Advocates for Rural Broadband* is a national trade association that represents
² Public Notice, Petitions for Reconsideration of Action in Proceeding, WC Docket No. 13-39, released July 2, 2018, <https://docs.fcc.gov/public/attachments/DOC-352176A1.pdf>.

³ Petition for Reconsideration of NTCA – The Rural Broadband Association “Petition”, WC Docket No. 13-39, filed on June 11, 2018, <https://ecfsapi.fcc.gov/file/106110280603444/06.11.18%20Rural%20Call%20Completion%20Comments%2C%20WC%20Dk.%20No.%2013-39.pdf>.

⁴ Id.

Improving Rural Call Quality and Reliability Act of 2017⁵ solves the critical problem once and for all.

WTA agrees with NTCA’s assessment that the Commission incorrectly decided not to require covered providers to file their rural call completion monitoring procedures with the Commission. Without such information, the Commission must rely solely on intangible hopes and expectations that providers will adopt reasonable and effective procedures, such as prohibiting intermediate providers from engaging in “call looping” or requiring intermediate providers to “crank back” a call to the originating carrier rather than dropping it. However, the Commission will have no way of knowing what procedures are actually in place or of verifying whether and the extent to which they are working to ensure that calls are being completed. Without Commission reporting and oversight, covered providers will have significantly reduced incentives to adopt and implement effective call completion monitoring procedures, and the problems will persist.

REQUIRING COVERED PROVIDERS TO FILE THEIR MONITORING PROCEDURES WITH THE COMMISSION WILL INCREASE TRANSPARENCY AND RESULT IN MORE COMPLETED CALLS

As WTA has noted before, when it comes to improving call completion, sunlight has been the best disinfectant – meaning that increased attention placed on the issue as a result of reporting requirements and Commission oversight has caused many providers to put procedures in place to ensure that calls are appropriately completed.⁶ The likelihood of Commission review of call completion data and reports made it impossible for

⁵ Public Law No: 115-129; signed into law February 26, 2018.

⁶ Reply Comments of WTA – Advocates for Rural Broadband, WC 13-39, filed on June 19, 2018, at 2; Comments of WTA – Advocates for Rural Broadband and NTCA – The Rural Broadband Association, WC 13-39, filed on Aug. 28, 2017, at 8-9.

providers to ignore the issue, and many had to reconsider and upgrade the procedures they were using to appropriately place calls. For example, when effective recording and retention requirements were in place, call completion complaints decreased significantly from 57% to 45% between the years of 2015 and 2016.⁷

Similarly, the 2018 Rural Call Completion Order's requirement⁸ that covered providers must document their monitoring procedures for call completion is a step in the right direction. However, the Commission leaves this requirement toothless by not requiring the covered providers to file their monitoring procedures with the Commission. This prevents the Commission from determining whether a provider's procedures are adequate or even if they exist at all. Rather, as NTCA puts it, providers can simply "place their documented monitoring procedures on some theoretical shelf."⁹ This does little to tackle the longstanding call completion problem because it returns the industry to a failed policy¹⁰ where "performance and practices rely entirely upon promises to do well and keep an eye on others to do the same."¹¹ Indeed, this problem is the result of putting too much trust in providers to do the right thing without verifying that they are.

The Commission's concern that filing call completion monitoring procedures would expose "important technical, personnel and commercial details about the covered

⁷ Id.

⁸ Rural Call Completion, Second Report and Order, WC Docket No. 13-39, FCC 18-45, released April 17, 2018, at ¶ 46.

⁹ Petition at 8.

¹⁰ Id. at 7. "Without the reporting requirements, it is unclear what incentives covered providers will have to complete calls, particularly given that they were subject to what was effectively a comparable monitoring duty prior to 2013 even as call completion problems were at their relative peak."

¹¹ Id.

provider's network and business operations"¹² can be readily resolved. For example, the Commission has regularly adopted general protective orders that have allowed proprietary and confidential information to be redacted from the copies of various comments and reports that would otherwise be available for public inspection.¹³ This would give providers the protection they desire while also ensuring that the Commission has the capability to check that sufficient call completion procedures are in place. It would also allow the Commission to have more information for future enforcement actions should call completion issues continue, especially for companies that have a reputation for not completing calls.

CONCLUSION

Call completion is critical to achieving the Communications Act's goal of reasonably comparable communications service between urban and rural areas. It is also critical from public safety and business/economic development standpoints. The monitoring rule instituted by the Commission is a step in the right direction, but will lose a substantial portion of its effectiveness if the Commission is unable to inspect, require modification, and monitor these call completion procedures. Therefore, the Commission should grant NTCA's petition and reconsider its decision not to require providers to file their call completion monitoring procedures with the Commission.

¹² Id. at 8.

¹³ For example, see the Protective Order adopted by the Commission for the filing of Form 481 by eligible telecommunications carriers (ETCs) in 2016. In the Matter of Connect American Fund, et al., Protective Order, WC Docket Nos. 10-90, 14-58, released March 22, 2016, available at <https://www.fcc.gov/document/form-481-protective-order>.

Respectfully submitted,

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August 2, 2018