

potential one-year acceleration of STIR/SHAKEN implementation creates investment uncertainties at a time when RLECs and other small carriers need to focus their resources upon the extension and upgrades of their broadband networks as rapidly as possible.

Most WTA members have 100,000 or fewer voice service subscriber lines, and have qualified for the two-year small voice service provider extension in Section 64.6304(a) of the Rules. In addition, some WTA members have not yet converted their voice service offerings from Time Division Multiplexing (“TDM”) to Voice over Internet Protocol (“VoIP”) technology while many WTA members have no viable option other than to send their originating voice traffic through a third-party TDM tandem (and hence do not have access to an all-IP transmission path). Consequently, many WTA members also qualify for the continuing exemption in Section 64.6304(d) of the Rules for those portions of their networks that rely on technology that cannot initiate, maintain and terminate Session Initiation Protocol (“SIP”) calls.

In light of this extension and exemption, most WTA members and other RLECs have been able to focus their resources on extending, upgrading and testing their broadband networks while working to discourage and eliminate illegal robocalling by developing and implementing the robocall mitigation programs required by Sections 64.6305(a) and (b) of the Rules. The *FNPRM* recognizes in paragraph 35 that RLECs are “not generally involved in illegal robocalling.” Among other things, most RLECs are locally managed and are familiar with their relatively small group of existing and potential customers, thus making it relatively easy for them to spot, investigate and discourage or disconnect potential illegal robocallers. The network monitoring practices included in most RLEC robocall mitigation programs make the origination of illegal robocalls further easy to discover and halt. Finally, WTA members and other RLECs are committed to comply fully and

in a timely manner with the requirement that they respond to all traceback requests from the Commission, law enforcement and the ultimate industry traceback consortium.

At the time these comments are being filed, RLECs and other small voice service providers have only recently completed their required filings in the Commission's Robocall Mitigation Database by the June 30, 2021, deadline of their contact information and their descriptions of the steps taken in their robocall mitigation programs to discover and prevent the origination of illegal robocall traffic on their networks. Before the Commission initiates a new program to collect call origination and/or other information from most or all small voice service providers and to potentially accelerate by a year the deadline for some small voice service providers to implement STIR/SHAKEN, it should first determine how effectively and efficiently the recently filed robocall mitigation programs are working. The Commission may well find that the contemplated STIR/SHAKEN acceleration is unnecessary because robocall mitigation programs have put a stop to most or all illegal robocalling originating on small provider networks. Or the Commission may find that illegal robocalling is continuing to originate only on certain identifiable types or classes of small voice provider networks, such that it can target those categories of network for accelerated STIR/SHAKEN implementation or other remedies, and avoid imposing additional reporting obligations and potential implementation burdens and uncertainties on those categories of small voice service providers that have been successful in preventing or stopping illegal robocalling.

WTA members and other RLECs can generally identify potential illegal robocallers from traceback requests and/or from spikes in the numbers of calls that they originate. In most instances, the origination of 500-to-1,000 calls per day on a single line will indicate potential illegal robocall activity and merit further investigation. However, there are some complications here. For example, a local government, school district or public utility may need to originate large numbers

of lawful and important calls during a day or week or extended period to warn or advise area residents of situations such as emergencies, weather conditions, school or road closures, and power outages and restoration plans. In other cases, a business with a public branch exchange (“PBX”) or other configuration of multiple lines billed under a single number may appear to be originating significant numbers of daily calls under a “single” number when, in fact, legitimate calls are being originated over multiple lines.

Because of the possibility that it may result in “false positives,” a stand-alone “number of calls per day over a single line” test will create uncertainty among potentially affected small RLEC voice providers² that they may incur the costs and disruptions of an accelerated June 30, 2022, deadline for STIR/SHAKEN deployment at a time when their resources and operations are focused upon extending and upgrading their broadband facilities and services. Hence, if the Commission determines to adopt a mechanism for limiting the Section 64.6304(a) small voice service provider extension in some cases, it should adopt a more comprehensive and targeted test for identifying those small voice service providers that are at heightened risk of originating an especially large amount of robocall traffic. For example, in addition to a 500-to-1,000 calls per day over a single line (750 calls per day per line would be a reasonable starting point) prong (“Prong A”), the test could and should also include: (a) receipt of more than half of a small voice provider’s voice service revenue from customers purchasing voice services that are not mass market voice services (“Prong B”); and (b) the offering and provision of service features commonly used for unlawful robocalls (“Prong C,” including ability to indicate any number on the called party’s caller ID display; ability to upload and broadcast a prerecorded message; customized caller ID displays; and

² WTA understands that members and other RLECs behind a TDM tandem or otherwise without an all-IP path to the network will not be subjected to the potential one-year STIR/SHAKEN deployment deadline due to the continuing Section 64.6304(d) exemption.

autodialing functionality). Moreover, Commission monitoring and service provider reporting would be simplified and made more effective and efficient if small service providers only had to report their Prong A calls per line per day data if they were subject to the Prong B revenue criterion and/or the Prong C robocall-related service features criterion.

In sum, WTA recommends that the Commission monitor how well small service provider robocall mitigation programs are working to eliminate or minimize illegal robocalling before adopting new call monitoring mechanisms and potentially accelerating STIR/SHAKEN implementation by some small voice service providers. If the Commission determines, for any reason, to go ahead with its acceleration proposal, WTA urges it to adopt a more comprehensive test including call volumes, revenue sources, and robocall-related service features that will more accurately identify and target small voice service providers that are at heightened risk of originating an especially large amount of illegal robocall traffic.

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