



November 14, 2018

***Ex Parte Notice***

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**RE: Advanced Methods to Target and Eliminate Unlawful Robocalls, CG Docket No. 17-59**

Dear Ms. Dortch:

On Tuesday, November 13, 2018, the undersigned on behalf of NTCA–The Rural Broadband Association (“NTCA”)<sup>1</sup> spoke via telephone with Zenji Nakazawa, Public Safety and Consumer Protection Advisor to Federal Communications Commission (“Commission”) Chairman Ajit Pai, to discuss the above-referenced proceeding. Specifically, the parties discussed unwanted calls to reassigned telephone numbers and methods by which the Commission could reduce the incidence of such calls as well as mitigate legitimate callers’ violations of the Telephone Consumer Protection Act (“TCPA”).

In the meeting NTCA reiterated at the outset its commitment to reduce the incidence of consumers receiving calls that are unwanted but simply intended for a consumer that changed his or her telephone number without informing those parties to whom consent was granted. Consistent with prior advocacy on the issue,<sup>2</sup> NTCA then stated that Commission action to encourage the expanded use of already operating commercial reassigned telephone numbers databases is the most expeditious path to addressing the problem of unwanted calls and is a solution that properly allocates the costs of providing callers access to such data. These existing “TCPA compliance solutions” that already capture a substantial percentage of reassigned telephone numbers will, if paired with a “safe harbor” for callers’ use of these databases, be every bit as comprehensive as a Commission-established database as contemplated by the *Notice*.<sup>3</sup> Simply put, because utilization of such databases will operate as a safe harbor from liability for unintentional violations of the TCPA, data on which telephone

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<sup>1</sup> NTCA represents approximately 850 independent, community-based telecommunications companies and cooperatives and more than 400 other firms that support or are themselves engaged in the provision of communications services in the most rural portions of America. All of NTCA’s service provider members are full service rural local exchange carriers (“RLECs”) and broadband providers, and many provide fixed and mobile wireless, video, satellite and other competitive services in rural America as well.

<sup>2</sup> See *Ex Parte* Letter from Brian Ford, NTCA, to Marlene H. Dortch, Secretary, Commission, CG Docket No. 17-59 (fil. Aug. 29, 2018).

<sup>3</sup> *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-59, Second Further Notice of Proposed Rulemaking, FCC 18-31 (rel. Mar. 23, 2018) (“*Notice*”), ¶ 34.

numbers have been reassigned will become a much more valuable commodity. Those most in need of it (callers seeking to avoid liability) will provide the operators of the commercial databases the proper financial incentive to capture even more reassigned numbers data than they do today and the latter will in turn have the incentive to compensate providers for that data. These mutually beneficial relationships will ultimately capture data as comprehensive as any FCC database. This solution also ensures that rural carriers are compensated for this data, allowing them to recover costs that would otherwise be passed on to their end-users.

Thank you for your attention to this correspondence. Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed via ECFS.

Sincerely,  
/s/ Brian Ford  
Brian Ford  
Senior Regulatory Counsel  
NTCA-The Rural Broadband Association

cc: Zenji Nakazawa