

**Before the
Federal Communications Commission
Washington, D.C. 20002**

In the Matter of)
)
Wireline Competition Bureau Seeks Comment) WC Docket No. 20-323
on Caller ID Authentication Progress for Report)
to Congress)

**COMMENTS
OF
NTCA–THE RURAL BROADBAND ASSOCIATION**

NTCA–The Rural Broadband Association (“NTCA”)¹ hereby submits these comments in response to the Public Notice ² issued by the Wireline Competition Bureau (“WCB”) in the above-captioned proceeding. The WCB seeks comment on a report to Congress that the Federal Communications Commission (“Commission”) will submit, pursuant to Section 4(b)(3) of the TRACED Act, discussing “the extent to which providers of voice service have implemented...call authentication frameworks”³ as well as “an assessment of the efficacy of” said frameworks.⁴ NTCA urges the Commission to provide Congress with a “full picture” of the status of implementation of caller-ID authentication, specifically one that goes beyond progress made thus far – ultimately, the efficacy of this standard in protecting consumers must be viewed through the prism of nationwide availability of this service, and thus any barriers that stand in the way of such nationwide implementation must be a central part of this assessment.

¹ NTCA represents approximately 850 rural local exchange carriers (“RLECs”). All of NTCA’s members are voice and broadband providers, and many of its members provide wireless, video, and other competitive services to their communities.

² *Wireline Competition Bureau Seeks Comment on Caller ID Authentication Progress for Report to Congress*, Public Notice, WC Docket No. 20-323, DA 20-1153 (rel. Oct. 1, 2020) (“Public Notice”).

³ Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, Pub. L. No. 116-105 (2019) (TRACED Act) § 4(b)(3)(A).

⁴ *Id.*, § 4(b)(3)(B).

I. A COMPLETE ASSESSMENT OF THE EFFICACY OF CALL AUTHENTICATION FRAMEWORKS REQUIRES THAT THE COMMISSION REPORT TO CONGRESS NOT ONLY ON THE SIGNIFICANT PROGRESS MADE ALREADY, BUT ALSO ON THE BARRIERS THAT REMAIN TO NATIONWIDE IMPLEMENTATION.

A. Consumers nationwide deserve access to the protections that come with caller-ID authentication; the Commission cannot assess its efficacy in combatting unwanted calls without addressing the barriers that millions of consumers face with respect to access to this critical technology.

The text of Section 4(b)(3) of the TRACED Act indicates that Congress was interested in more than a perfunctory progress report in terms of how many providers have individually taken measures to implement caller-ID authentication. Section 4(b)(3)(B), rather, indicates a much broader and more practical congressional interest in whether caller-ID authentication is working to reduce unwanted robocalls. Specifically, that provision directs the Commission to provide “an assessment of the *efficacy* of...call authentication frameworks,”⁵ in other words, an assessment of whether they will be effective in combatting unwanted robocalls. By contrast, Section 4(b)(3)(A) calls for “an analysis of the extent to which providers of voice service have implemented” call authentication.⁶ If all Congress sought was a basic progress report on provider efforts, it could have stopped at Section 4(b)(3)(A), which clearly calls for just that. Thus, for the Commission to stop there and fail to further assess remaining barriers to the successful use of caller-ID authentication in combatting unwanted calls (or under the terms of the statute to assess its “*efficacy*”) would be to render Section 4(b)(3)(B) superfluous.

With this statutory directive in mind, the Commission cannot evaluate the *efficacy* of caller-ID authentication as called for by the TRACED Act without evaluating provider

⁵ *Id.*, (emphasis added).

⁶ *Id.*, § 4(b)(3)(A).

implementation *along with* an assessment of remaining barriers to the nationwide availability of such frameworks for each and every American consumer. One barrier in particular stands out as requiring ongoing assessment. Specifically, STIR/SHAKEN caller-ID authentication is very much an “interconnected” function, *as it is one that depends on the capabilities of providers on both ends of a call as well as any other operator in the call path.* To understand why it must be available to consumers on a nationwide basis, one need only consider an originating provider that is, within its own network, “STIR/SHAKEN capable” yet unable to pass that data along the entirety of a call path. That provider – and more importantly, the subscriber placing the call and wanting their caller-ID to be authenticated – get no value whatsoever if the terminating provider is not STIR/SHAKEN capable as well or never receives that data (perhaps due to the presence of non-IP facilities in the call path). Of course, the flip side is true as well – called parties will only realize the benefits of caller-ID authentication (and be able to avoid receiving “spoofed” calls) if the originating provider is both STIR/SHAKEN capable and able to transmit that data in IP across the call path.

Thus, IP interconnection is a critical component in the use, by voice providers all across the nation, of STIR/SHAKEN caller-ID authentication. To be sure, there may be additional barriers as well, and it is likely that a discussion of these will emerge as part of the industry’s response to the Public Notice. That said, the Commission would be remiss if an assessment of the efficacy of caller-ID authentication frameworks stopped at the border of individual providers’ networks and failed to consider whether, as a collective whole, these networks are achieving nationwide implementation of authentication measures for every American. Put another way, a “progress report” that is essentially nothing more than an enumeration of the providers on track

to meet the implementation deadlines set forth by the Commission, while informative, would be of limited value to Congress and fail to satisfy the full extent of the assessment required by Congress in Section 4(b)(3).

Indeed, viewing the success of the TRACED Act through a mere enumeration of the providers that are STIR/SHAKEN capable would not only fail to tell the full story, it would be highly misleading. It could leave out the millions of consumers all across the nation unable to realize the benefits of call authentication not because of any failure on the part of their own provider to upgrade its own network, but rather because of a lack of seamless IP-based interconnection between that provider and other networks. The Commission therefore must not “take its eyes off the ball” and declare the job done, but rather should direct its attention to additional barriers such as these to nationwide implementation of call authentication measures.

For rural consumers, the stakes are particularly high – to the extent the focus on nationwide availability of caller-ID authentication is lost, rural consumers stand to lose reliable connections to the broader nation. Specifically, there is a significant danger that a “reverse rural call completion” issue will emerge if unauthenticated calls from rural areas are viewed as “suspicious” – if calls placed from rural areas are not authenticated due to a lack of IP interconnection between networks and thus caught up in blocking tools or labeled as “suspect,”⁷ rural consumers could be unable to place legitimate and wanted calls to large swaths of the

⁷ See Comments of NTCA, CG Docket No. 17-59 (fil. Aug. 31, 2020), p. 4 (“A call labeled as ‘spam’ or ‘scam’ or otherwise suspicious and presented to the called party as such on their caller-ID display is tantamount in many respects to blocking. Called parties are highly unlikely to answer such calls, and indeed they often have the option to block the caller’s telephone number upon viewing that label.”).

nation. Even if these calls make it through blocking tools, consumers on the terminating end are still far more likely to ignore calls that are not authenticated.

Concerns such as these, that directly affect consumers all across the nation that cannot realize the benefits of caller-ID authentication, must therefore be a central component of the report to Congress. Congress could not have envisioned when approving the TRACED Act – and certainly would not countenance now – the “reverse rural call completion” result discussed above. Congress should be provided with the context why such concerns might arise, and obtain a sense from the Commission what it is doing to ensure such concerns do not arise. How the Commission is making sure that every call that is authenticated when originated also arrives as authenticated on the receiving end, on networks hundreds or thousands of miles away, must be a part of this report. As noted above, Congress indicated its interest in the efficacy of caller-ID authentication, and they therefore have a strong interest in understanding any barriers that prevent the nationwide availability of this service.

B. The path toward nationwide availability of STIR/SHAKEN is blocked by the lack of “rules of the road” with respect to IP interconnection for voice traffic; highlighting this barrier is necessary as part of any assessment into the efficacy of this technology.

The Commission has taken several important steps towards implementation of the TRACED Act, but ensuring the nationwide availability of caller-ID authentication requires more work. Several barriers to that objective remain – in addition to the IP interconnection barriers referenced herein, issues surrounding the “enterprise market”⁸ as well as carriers that “materially

⁸ *Call Authentication Trust Anchor*, WC Docket No. 17-97, Second Report and Order, FCC 20-136 (rel. Oct. 1, 2020) (“*Second Report and Order*”), ¶ 58 (noting that “the standards for attestation do not fully account for the situation where an enterprise subscriber places outbound calls through a voice service provider other than the voice service provider that assigned the telephone number.”).

rely on non-IP networks”⁹ (or TDM) stand out. Because every consumer deserves access to caller-ID authentication, and because the success of this service depends on providers across a call path having the capability to pass authentication information, these issues cannot remain unresolved. For RLECs serving millions of consumers nationwide, the barriers to adoption of this standard – including the substantial cost involved in becoming STIR/SHAKEN capable within their own networks – can be high. Yet, their ultimate goal is to adopt the standard as expeditiously as possible for the protection of their subscribers.

As NTCA has observed previously however,¹⁰ the need to exchange voice traffic in IP is perhaps the most significant and pernicious barrier to successful implementation of STIR/SHAKEN in rural America. It is also a barrier that no operator can overcome alone through investment in its own network. According to survey data, 93 percent of NTCA members are “IP-capable” within at least part of their networks¹¹ – thus these providers are, from a technical standpoint, STIR/SHAKEN ready. At the same time, in many cases, NTCA’s RLEC members subtend tandem switching facilities owned by upstream carriers – these facilities are often TDM and represent the typical RLEC’s gateway to rest of the world with respect to voice traffic.

The ubiquitous availability of STIR/SHAKEN caller-ID authentication can only be achieved via end-to-end IP voice transmittal of such data, and providers of sizes and technologies must interconnect in IP if this technology is to be available on a nationwide basis.

⁹ *Id.*, ¶ 67.

¹⁰ Comments of NTCA, WC Docket Nos. 17-97, 20-67 (fil. May 15, 2020) (“NTCA May 2020 Comments”), pp. 2-15; *Second Report and Order*, ¶ 9, fns. 167, 244, 249.

¹¹ NTCA May 2020 Comments, p. 3.

For RLECs, the current lack of “rules of the road” that incent parties to enter into such agreements on reasonable terms and conditions (or even make it available at all) is particularly troublesome. RLECs in need of IP interconnection agreements to implement STIR/SHAKEN could find themselves at the mercy of larger providers dictating new interconnection and transport terms. In the absence of provisions that establish reasonable network edges comparable to those in place today for RLECs, the economics of interconnection would be rewritten, with the result being for the first time ever the costs of transporting voice calls between rural operators’ local network edges and distant points of interconnection being foisted entirely on small rural customer bases without any universal service support to recover such costs. Ultimately, RLECs may face the untenable choice between offering their consumers the protections that SHAKEN/STIR extends to them and continuing to offer affordable voice service.

As with the potential “reverse call completion” concerns referenced above, this Hobson’s choice between access to caller-ID authentication and affordable voice service is one Congress neither envisioned as it authored the TRACED Act nor would approve of today. NTCA continues to assert that a simple “network edge” rule for the exchange of traffic between RLECs and other operators can serve as a “carve out” while larger IP interconnection rules are addressed by the industry.¹² Absent adoption of such a provision or one similar to it, even as the

¹² Comments of NTCA, WC Docket Nos. 17-97, 20-67 (fil. Jul. 24, 2019), p. 7 (While NTCA recognizes that IP interconnection issues on a broad, industry-wide scale have been a vexing problem, a simple move to preserve interconnection responsibilities *from a financial perspective* as they stand today – simply retaining existing meet points between rural carriers and those parties with whom they exchange traffic as well as transport responsibilities that do not change based on the technology used to deliver voice traffic – is a narrow “carve out” that the Commission can enact while additional reforms are considered. (In fact, additional reforms need not even be considered if the Commission determines that these issues will be settled by the industry on its own). But the failure to address this one discrete segment of the industry – in light of the issues discussed in the preceding paragraphs – will limit if not prevent the rural industry’s ability to participate in SHAKEN/STIR implementation for the benefit of all consumers.”).

Commission has pledged to “monitor the issue,”¹³ the IP interconnection barrier will remain one that stands firmly in the way of nationwide availability of caller-ID authentication. It is also one that, should it remain unresolved, risks harming millions of rural consumers that deserve access to this important technology just as much as any American in an urban market. Thus, this issue must be a foundational part of the Commission’s assessment of the efficacy of caller-ID authentication pursuant to the TRACED Act.

C. “Out of Band” Signaling Holds Significant Promise for Delivering the Benefits of Caller-ID Authentication to Millions of Consumers that Might Otherwise Continue to Suffer from Unwanted Calls.

As noted above, the barriers to nationwide availability of caller-ID authentication include the prevalence of providers that materially rely on non-IP (or TDM) networks. NTCA, like providers of all sizes, have long sought to complete the ongoing “IP transition” – NTCA and its members have in fact long been a driver of this transition, and most of the association’s members moved beyond TDM facilities long ago. That said, voice providers of all sizes and across the nation with TDM within portions of their networks will require significant time and resources to move beyond these facilities. Consumers seeking relief from an untrustworthy caller-ID system that enables them to be victimized by spoofers cannot – and should not – be forced to wait for relief. These consumers should not be left on the outside looking in as millions of other consumers have access to this important technology.

With the need to protect consumers all across the nation in mind, a closer look at Out-of-Band STIR (“OOB”) is imperative. To be clear, should alternative solutions for authenticating calls on non-IP networks emerge, those would certainly merit consideration as well, and NTCA

¹³ *Second Report and Order*, fn. 249.

does not endorse OOB to the exclusion of other options. (NTCA, for its part, serves as a member of the ATIS Non-IP Call Authentication Task Force as part of RLECs’ commitment to investigating each and every possible path toward all providers’ adoption of caller-ID authentication).

With respect to OOB, however, while the Commission has correctly noted that there are “divergent views as to the viability of out-of-band STIR,”¹⁴ work on the standard continues. The Commission is also correct, however, in noting that “opponents of this technology have offered no meaningful alternative solutions.”¹⁵ NTCA specifically appreciates the Commission’s admonishment that “[t]o those that would oppose this possible solution without mention of an alternative, we take this opportunity to note that standards work requires both constructive input and compromise on the part of all parties and stakeholders.”¹⁶ Most importantly, for the purposes of the report at issue herein, the Commission should make clear to Congress that completion of the OOB standard (or any alternative solutions proposed by its opponents) is necessary to ensure that consumers nationwide can access caller-ID authentication.

II. CONCLUSION

For the reasons discussed above, the report to Congress with respect to the implementation of caller-ID authentication must present legislators with the barriers to nationwide availability of this service.

¹⁴ *Id.*, ¶ 31.

¹⁵ *Id.*

¹⁶ *Id.*

Respectfully submitted,



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