



November 3, 2020

***Ex Parte Letter***

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
45 L Street NE  
Washington, DC 20554

**Re: Wireline Competition Bureau Seeks Comment on Caller ID Authentication  
Progress for Report to Congress, WC Docket No. 20-323**

Dear Ms. Dortch:

NTCA–The Rural Broadband Association (“NTCA”)<sup>1</sup> hereby submits this letter to respond to USTelecom’s reply comments<sup>2</sup> filed in the above-referenced proceeding. Specifically, NTCA herein urges the Federal Communications Commission (the “Commission”) to disregard USTelecom’s misplaced concern that NTCA’s advocacy here will somehow slow down the implementation of STIR/SHAKEN. To the contrary, in raising certain questions, NTCA is seeking to promote the *nationwide* implementation of call authentication in lieu of acting as if certain barriers to implementation do not exist and thus turning a blind eye to the need to overcome them. Specifically, the Commission should ensure that Congress is briefed on the IP interconnection barrier that stands in the way of consumers nationwide having access to this critical technology and that the report at issue here and as called for by Section 4(b)(3) of the TRACED Act<sup>3</sup> is not treated as a simple “check the box” exercise.

Nothing in NTCA’s October 16 comments<sup>4</sup> can reasonably lead to the conclusion that NTCA’s calls for action would “impede”<sup>5</sup> implementation of STIR/SHAKEN by any party. Instead, NTCA merely is seeking to ensure that persistent barriers to implementation are not ignored, swept under the rug, or wished away such that smaller operators will be unable to participate fully in the STIR/SHAKEN framework. With respect to NTCA’s October 16 comments specifically, far from seeking to impede the spread of this technology, that filing simply encouraged the Commission to fulfill in all respects the direction set forth by Congress in

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<sup>1</sup> 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.

<sup>2</sup> Reply comments of USTelecom – The Broadband Association (“USTelecom”), WC Docket No. 20-323 (fil. Oct. 26, 2020) (“USTelecom October 26 replies”).

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

<sup>4</sup> Comments of NTCA–The Rural Broadband Association, WC 20-323 (fil. Oct. 16, 2020) (“October 16 NTCA comments”).

<sup>5</sup> USTelecom October 26 replies, p. 2.

Section 4(b)(3) of the TRACED Act. As NTCA explained in detail,<sup>6</sup> Congress included this provision in the TRACED Act in order to receive, from the Commission, more than a perfunctory progress report in terms of the number of individual providers that have implemented caller-ID authentication. Rather, the text also calls for an assessment of the *efficacy* of call authentication frameworks in combatting unwanted robocalls – and because the *efficacy* of STIR/SHAKEN depends on all voice providers’ full participation in the framework, any barriers that stand in the way of that will undermine efforts to combat spoofing. As such, the Commission cannot fulfill its statutory duty by breezing past these barriers in its report to Congress and declaring that “all is well” as USTelecom seems to suggest.

The fact is that persistent barriers to RLECs’ participation in STIR/SHAKEN remain in the form of IP interconnection. Even the most modern RLEC network (and the vast majority of NTCA members are IP-enabled within at least part of their networks<sup>7</sup>) cannot exchange call authentication information with other voice providers in the absence of IP interconnection. Rural consumers are the real parties that suffer from this barrier, as their calls will leave rural networks fully authenticated but lacking such authentication by the time they reach the terminating end. And these same rural consumers will continue to receive spoofed calls as well – the IP interconnection barrier works both ways, as traffic originated on networks all across the nation continues to arrive over non-IP interconnects to rural carriers. These consumers will still receive spoofed calls as a result, and this fact must be included in any assessment of the *efficacy* of call authentication as called for by the TRACED Act.

With this as background, and given the industry’s professed interest in and support of nationwide call authentication, no party should reasonably or logically question the need to identify and remove persistent barriers to implementation. As NTCA explained, any originating provider (and their subscribers wanting their calls to arrive at the final destination as authenticated) get little value out of STIR/SHAKEN 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 at any point in the call path, the point of interconnection included). The converse is true as well – terminating providers (and their subscribers that are the 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 is able to transmit that data in IP across the call path. Thus, *the identification and removal of barriers to nationwide implementation of STIR/SHAKEN would accrue to the benefit of the industry as a whole*; all voice providers have a stake in addressing IP interconnection concerns if only to better leverage the investment they have made in STIR/SHAKEN within their own networks. While the industry may differ in *how* this barrier should be resolved, it cannot be ignored, and because it undermines nationwide implementation

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<sup>6</sup> October 16 NTCA comments, p. 2 (stating that Section 4(b)(3)(B) of the TRACED Act “directs the Commission to provide ‘an assessment of the efficacy of...call authentication frameworks,’ 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. 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.”) (internal citations omitted).

<sup>7</sup> Broadband/Internet Availability Survey Report, NTCA–The Rural Broadband Association, Dec. 2019, p. 9 available at: <https://www.ntca.org/sites/default/files/documents/2019-12/2019%20Broadband%20Survey%20Report.pdf>.

of the STIR/SHAKEN ecosystem, Congress has indicated its interest in being made aware of this issue.

Thus, far from asking that the Commission “rehash”<sup>8</sup> this issue, NTCA merely asks that Congress be provided with the context surrounding why these concerns might arise, and obtain a sense from the agency charged with implementing the TRACED Act what it is doing to ensure *every consumer – urban and rural alike* – has access to this critical technology. A report to Congress is not the place to “accentuate the positive” – it is a place to tell the complete story of what is needed to achieve the objectives set by Congress. Ignoring barriers that undermine call authentication frameworks not only runs counter to the Commission’s statutory duty set forth in Section 4(b)(3), but it could also prevent Congress from exercising its prerogative to address these barriers should it decide such action is necessary.

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.



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<sup>8</sup> USTelecom October 26 replies, p. 1.