

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Advanced Methods to Target and Eliminate Unlawful Robocalls - Petition for Reconsideration and Request for Clarification of USTelecom - The Broadband Association	)	CG Docket No. 17-59

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

NTCA–The Rural Broadband Association (“NTCA”)<sup>1</sup> hereby submits these reply comments in response to the Sixth Further Notice of Proposed Rulemaking (“*Further Notice*”)<sup>2</sup> released by the Federal Communications Commission (“Commission”) in the above-captioned proceeding. The *Further Notice* seeks comment on the method by which terminating voice service providers will notify callers that their calls have been blocked and thus empower them to seek redress for instances of erroneous call blocking. NTCA proposes herein a process under which additional standards body and industry-wide work on Session Initiation Protocol (“SIP”) Codes 607/608, as well as 603, would proceed in parallel toward the ultimate goal of settling on a code that avoids placing undue burdens on providers while also giving blocked callers “actionable information” necessary to easily correct mistakenly blocked calls.

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<sup>1</sup> NTCA–The Rural Broadband Association represents approximately 850 independent, community-based companies and cooperatives that provide advanced communications services in rural America and more than 400 other firms that support or are themselves engaged in the provision of such services.

<sup>2</sup> *Advanced Methods to Target and Eliminate Unlawful Robocalls – Petition for Reconsideration and Request for Clarification of USTelecom – The Broadband Association*, CG Docket No. 17-59, Order on Reconsideration, Sixth Further Notice of Proposed Rulemaking, and Waiver Order, FCC 21-126 (rel. Dec. 14, 2021) (“*Further Notice*”).

As background, NTCA has consistently supported strict “guardrails” around *any* call blocking authority granted to voice service providers.<sup>3</sup> False positives – legitimate calls blocked in error through the use of data analytics-based call blocking tools – represent a very real concern for rural consumers and the operators that serve them. For one thing, the use of such tools is relatively new – the Commission only recently granted voice providers the authority to block suspected illegal or unwanted robocalls based on the use of analytics to examine the nature of a calls and determine which to block.<sup>4</sup> The technology, while based on a number of factors that are used to identify unwanted calls, is certainly not “foolproof.” Mistakes will be made, and even as the increased use of these tools should yield more data that in turn reduces the “error rate” of these tools over time, every mistakenly blocked call harms a consumer. Especially with rural call completion issues recurring from time to time, there is need for increased vigilance when it comes to the potential for inappropriately blocked calls. Consumers deserve access to a reliable voice network when placing or receiving calls as much as they deserve access to one that limits their exposure to illegal or unwanted calls, particularly as the latter are perpetrated by “spoofers” and scammers that can do very real harm. Thus, efforts to ensure that erroneous blocking scenarios are remedied as quickly as possible and not repeated should be pursued with the same urgency as efforts to protect consumers from illegal or unwanted calls.

In addition, it should be noted here that NTCA’s concern with call blocking intersects with the evolving STIR/SHAKEN caller-ID authentication ecosystem. Nearly all of NTCA’s several hundred service provider members were granted until June 2023 to adopt this technology

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<sup>3</sup> See Comments of NTCA–The Rural Broadband Association, CG Docket No. 17-59 (fil. Jan. 29, 2020), pp. 3-4

<sup>4</sup> *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-59, Declaratory Ruling and Third Further Notice of Proposed Rulemaking, FCC 19-51 (rel. Jun. 7, 2019).

(based upon the “undue hardship” they face with respect to the availability and expense of equipment needed to authenticate calls).<sup>5</sup> As that technology becomes more widespread amongst the rest of the service provider community, NTCA has long been concerned that calls not authenticated pursuant to the standard could be erroneously blocked if they are viewed as suspicious. Such a result could create a “rural reverse call completion” problem that prevents millions of rural consumers from placing calls to the rest of the world. Against the backdrop of a decade-long fight against rural call completion problems, it is clear that the reliability of the telephone network cannot be taken for granted. With all of this in mind, NTCA and its members have a strong interest in guardrails around call blocking that include a “redress” process so consumers can quickly and easily ensure that any erroneous call blocking they experience is remedied and not repeated in the future.

That said, NTCA also supports the authority granted to voice service providers to block suspected illegal or unwanted calls. Like providers all across the country (and the Commission itself), NTCA’s rural operator members receive a large number of consumer complaints about unwanted robocalls, and instances of unwanted calls that include caller-ID spoofing often top the list of complaints. As community-based providers, these companies take seriously their duty to provide trustworthy and reliable communications services to rural Americans, and they are committed to utilizing every tool they can to mitigate the incidence of unwanted calls to their subscribers. Rural operators want and need call blocking as a “tool in the toolkit” to protect their subscribers from unwanted and harassing calls – and for this reason NTCA supports appropriately tailored and structured action, as the Commission has made clear that providers

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<sup>5</sup> *Call Authentication Trust Anchor*, WC Docket No. 17-97, Second Report and Order, FCC 20-136 (rel. Oct. 1, 2020), ¶ 40.

choosing to block and thereby protect their subscribers must *also* provide immediate notification to callers of such blocking.<sup>6</sup>

Turning to the specific inquiry posed by the *Further Notice*, NTCA members are concerned about the technical barriers to the use of SIP codes 607 and 608 for these notifications to blocked callers. NTCA members face the same challenges as providers of all sizes and all across the nation,<sup>7</sup> as significant and expensive equipment upgrades will be necessary to generate such call blocking messages to calling parties via the use of SIP Codes 607 and 608. And because providers cannot engage in data analytics-based call blocking without simultaneous use of notifications to calling parties,<sup>8</sup> NTCA members wishing to protect their customers from unwanted calls are placed in the nearly impossible position of attempting to implement the use of these SIP codes at significant expense and with technical hurdles that even the nation’s largest voice providers are currently struggling to overcome. The alternative is to choose to not block calls subscribers do not want.

NTCA therefore supports a path toward a SIP code that provides consumers with the information they need to seek redress when necessary – and whether that path comes through addressing the current shortcomings with SIP Codes 607 and 608 or 603 is less relevant than the reaching this final result. Ultimately, terminating providers choosing to block calls pursuant to Commission authority should ensure that consumers on the originating end are given, at a minimum, the name of the provider blocking their call as well as a telephone number or URL

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<sup>6</sup> *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-59, Fourth Report and Order, FCC 20-187 (rel. Dec. 2020) (“*Call Blocking Fourth Report and Order*”), ¶42.

<sup>7</sup> See Petition for Reconsideration and Request for Clarification of USTelecom - The Broadband Association, CG 17-59 (fil. May 6, 2021).

<sup>8</sup> *Call Blocking Fourth Report and Order*, ¶42.

they can utilize to initiate a redress process (i.e., a process through which a consumer can be given actionable information they can use to ensure their legitimate calls are not blocked again).

To ensure that this important consumer protection is put into place regardless of the SIP code used, as INCOMPASS and CCA suggest, the Commission should “retain SIP Codes 607 and 608 as the ultimate form of immediate notification, seek input from standards-setting bodies on a reasonable deadline for implementation, and []request that industry submit periodic progress reports on the finalization of these standards.”<sup>9</sup> As the Commission is well aware due to the extended nature of this discussion, there continues to be divergent industry opinion on the utility of SIP Codes 607 and 608 in terms of the ability to provide consumers with the information they need. Additional standards body work could clarify questions raised and resolve technical issues that remain, and thus even as these codes face barriers to provider implementation, they need not be set aside as unusable at this time. Consumers deserve access to these notifications, and if SIP Codes 607 and 608 can be made viable through additional standards body work, that should be pursued.

However, the Commission should also direct the industry to pursue in parallel enhancements to SIP Code 603 that would provide consumers with the necessary information. USTelecom claims that “[i]t is likely that the SIP Code 603 standard can be modified to include standardized information in a header that distinguishes between analytics-based blocking and other call declinations and then deployed in providers’ networks in a far shorter timeline than it would take to revise, finalize, operationalize, and ultimately deploy SIP Codes 607 and 608.”<sup>10</sup> If SIP Code 603 is as promising as USTelecom claims, and is less burdensome for providers and

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<sup>9</sup> Comments of INCOMPASS and CCA, CG Docket No. 17-59 (fil. Jan. 31, 2022), p. 2.

<sup>10</sup> Comments of USTelecom, CG Docket No. 17-59 (fil. Jan. 31, 2022), p. 2.

can be implemented in a shorter timeframe as is also claimed (and provides consumers with “actionable information” as described above) then it may present a better option. At the very least, that should be pursued as well. But it is unknown if this will yield a workable solution, so NTCA cautions the Commission about putting all of its eggs in this basket alone. The ultimate goal here is to protect consumers and do so in a way that is technically supportable for all providers regardless of the code used, and the Commission must not lose sight of that here. Thus the *Further Notice* focus on “moving away from” SIP Code 603 is misplaced – it is worth exploring before it is rejected.

Finally, even as additional standards body work could clarify questions raised and resolve technical issues that remain for either 607/608 or 603, the fact that this process is ongoing should not be used as an excuse for delay. Thus, it is critical that the Commission receive regular updates on progress toward final resolution of this issue. The Commission should further set a deadline for resolution of this critical issue to ensure that “standards body work is ongoing” does not allow such work to go on forever to the detriment of consumers.

Respectfully submitted,

**NTCA–The Rural Broadband Association**

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