

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

In the Matter of	)	
	)	
Implications of Artificial Intelligence	)	CG Docket No. 23-362
Technologies on Protecting Consumers	)	
from Unwanted Robocalls and Robotexts	)	

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

NTCA–The Rural Broadband Association (“NTCA”)<sup>1</sup> hereby submits these reply comments discussing the response to the Notice of Proposed Rulemaking and Notice of Inquiry issued by the Federal Communications Commission (“Commission”) in the above-captioned proceeding.<sup>2</sup> The NPRM proposes rules to address the emerging use of Artificial Intelligence (“AI”) with respect to robocalls and robotexts.<sup>3</sup> The NOI seeks comment on the availability of technologies to detect whether incoming calls are AI generated, to alert consumers that such calls are so generated and/or potentially fraudulent, and to block such calls once detected.

The record in this proceeding does not support the adoption of AI-specific consent requirements.<sup>4</sup> Like communications providers of all kinds, NTCA members routinely utilize

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<sup>1</sup> NTCA is an industry association composed of approximately 850 community-based companies and cooperatives that provide advanced communications services in rural America and more than 400 other firms that support or themselves are engaged in the provision of such services. NTCA is a founding board member of the Secure Telephone Identity Governance Authority (“STI-GA”), serves on the ATIS Non-IP Call Authentication Task Force (“NIPCA”), the SIP Interconnection Working Group, the North American Numbering Council (“NANC”), and the NANC Call Authentication Trust Anchor and Internet of Things working groups.

<sup>2</sup> *Improving the Effectiveness of the Robocall Mitigation Database Implications of Artificial Intelligence Technologies on Protecting Consumers*, CG Docket No. 23-362, Notice of Proposed Rulemaking and Notice of Inquiry, FCC 24-84 (rel. Aug. 8, 2024) (“NPRM” or “NOI” as applicable).

<sup>3</sup> NPRM ¶ 2.

<sup>4</sup> *Id.*, ¶ 16 (“For calls that already require prior express consent, would it benefit consumers to require them to provide separate consent to receive AI-generated calls?”).

robocalls and/or robotexts to contact customers (after obtaining their consent to do so where such consent is required pursuant to the Telephone Consumer Protection Act (“TCPA”) and the Commission’s existing rules) for purposes such as reminding them of an upcoming appointment with a technician or notifying them of network outages.<sup>5</sup> The ability to utilize AI could allow providers to make these wanted and already-consented-to communications on a more cost-effective basis or to otherwise harness AI to improve the value or timeliness of such communications. Yet requiring providers to obtain new AI-specific consent would not only be overly burdensome as the Chamber notes,<sup>6</sup> it could cause consumer confusion. More specifically, as ACA Connects correctly notes, many customers may “ignore AI-specific consent requests, resulting in loss of access to automated calls and texts from their service provider that they have come to rely on.”<sup>7</sup> Thus, while well-intentioned, this proposal misses the mark. Instead, as several parties suggest, the Commission should instead make clear that existing consent already obtained from a customer to receive robocalls and robotexts from their providers and obtained in compliance with the TCPA is sufficient for AI-generated messages as well.<sup>8</sup>

In seeking to understand better the capability of providers to alert consumers that calls they receive are AI-generated and to block those, rather than adopting prescriptive and confusing consent rules, the Commission should focus in the first instance on how the persistence of Time-

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<sup>5</sup> Comments of ACA Connects – America’s Communications Association (“ACA Connects”), CG Docket No. 23-362 (fil. Oct. 10, 2024), pp. 8-9 (stating that ACA Connects members “rely on automated calls and texts for routine customer service tasks such as scheduling maintenance visits, notifying customers about the arrival of service technicians, updating customers about service interruptions, and bill payment reminders.”).

<sup>6</sup> Comments of the U.S. Chamber of Commerce (“Chamber”), CG Docket No. 23-362 (fil. Oct. 10, 2024), p. 3.

<sup>7</sup> ACA Connects, p. 9. *See also* NCTA – The Internet & Television Association, CG Docket No. 23-362 (fil. Oct. 10, 2024), p. 6.

<sup>8</sup> Comments of USTelecom – The Broadband Association, CG Docket No. 23-362 (fil. Oct. 10, 2024), pp. 8-9; ACA Connects pp. 8-10; Chamber, pp. 3-4.

Division Multiplexing (“TDM”) facilities and routing undermines the value of these tools. As NTCA has previously noted and as others observe here,<sup>9</sup> many of these tools require an “end-to-end” IP connection to function. These tools thus in many cases share a similar “point of failure” with other critical consumer protection capabilities in this space; STIR/SHAKEN protocols, critical information that is conveyed within 603+ blocking notifications,<sup>10</sup> and new Rich Call Data features, function poorly or not at all when a call routes over TDM at any point. Bad actors that flout the TCPA and otherwise seek to harass or scam consumers have multiple tools at their disposal to do so, and protecting consumers requires that providers deploy multiple tools to thwart them. Yet, each of these consumer protection tools is rendered less effective by a common barrier – the “TDM in the middle” barrier – highlighting once again that the time has come for the Commission to seek comment on how to promote transmission of calls and messages in IP format.

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<sup>9</sup> Comments of INCOMPAS and the Cloud Communications Alliance, CG Docket No. 23-362 (fil. Oct. 10, 2024), p. 11. (“In-call algorithmic analysis, for example, does not require IP interconnection, however, flagging a call as AI-generated and exchanging that information along the call path would.”).

<sup>10</sup> Comments of NTCA, WC Docket No. 24-213, MD Docket No. 10-234 (fil. Oct. 15, 2024), p. 5 (“stating that “STIR/SHAKEN information is lost when a call is routed in this manner, as is critical information that is conveyed within 603+ blocking notifications. New RCD features similarly do not work unless delivered on an “end-to-end” IP basis, and tools that providers could use to alert consumers that calls they receive are ‘AI generated’ are likewise limited.”).

Respectfully submitted,



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