

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Consumer and Governmental Affairs)	CG Docket No. 02-278
Bureau Seeks Comment on Robocalls)	
and Call-Blocking Issues Raised by the)	WC Docket No. 07-135
National Association of Attorneys)	
General on Behalf of Thirty-Nine)	
Attorneys General)	

COMMENTS OF NTCA–THE RURAL BROADBAND ASSOCIATION

NTCA–The Rural Broadband Association¹ (“NTCA”) hereby submits these comments in response to the Consumer and Governmental Affairs Bureau’s Public Notice,² which requests comments on robocalls and call-blocking issues as raised by the National Association of Attorneys General.

As detailed in the initial complaint received from the Attorneys General and the subsequent Public Notice issued by the Commission, the problem is pervasive, noxious, and disruptive to consumers. Unwanted telemarketing and other robocalls can occur at any time of the day or night. The caller is often asked to respond to automated questions; however, no response will stop future calls and the caller is not provided with the opportunity to ask to be removed from the marketing list or any alternatives for recourse. Residential, rural customers

¹ NTCA represents nearly 900 rural rate-of-return regulated telecommunications providers. All of NTCA’s members are full service local exchange carriers and broadband providers, and many provide wireless, video, satellite, and/or long distance services as well.

² *In the Matter of Consumer and Governmental Affairs Bureau Seeks Comment on Robocalls and Call-Blocking Issues Raised by the National Association of Attorneys General on Behalf of Thirty-Nine Attorneys General*, DA 14-1700 (December 17, 2014).

report increasing instances of robocalls. Businesses, hospitals, and city officials, including a rural sheriff's department and States Attorney are, likewise, receiving noxious and unsolicited calls.

For customers who experience this problem, rural telecommunications providers offered, and, at the customer's request, subsequently enabled traditional call-blocking services to attempt to address the issue. Unfortunately, telemarketing robocalls often originate from overseas or via the Internet, and the caller ID is often spoofed and continually changed, thereby disqualifying discrete, number-specific call-blocking techniques as inadequate. In addition, rural telecommunications providers may be able to trace some of the robocalls back to a common bill-to number—which may be separate from the erroneous and often-changing caller ID info—but then the robocall originator can simply change its billing number, making it impossible for the rural telecom provider to address the problem.

As noted in the complaint received from the Attorneys General and the Public Notice released by the Commission, new technologies may enable telecommunications providers to address the problem. As such, the Commission should allow carriers to meet each customer's needs and, at his or her request, enable solutions which may be able to block originating, overseas calls.

The Commission has clear legal authority to act in this proceeding. As detailed in the Public Notice, the Commission has repeatedly upheld the right of telecommunications providers to block unwanted, incoming calls upon the customer's request.³ Further, the Commission has

³ *Public Notice* at 3. Also see *2007 Declaratory Ruling*, ¶7 n. 21; *2011 Report and Order*, ¶973 n.2038; and *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket Nos. 90-571, 98-67, 03-123, Report and Order, Order on Reconsideration, and Further Notice of Proposed Rulemaking, ¶74 (2004).

permitted service providers to enable call-blocking solutions for use by consumers where it makes practical and economic sense for the carrier. For instance, in 1996, the Commission required telecommunications providers to enact call-blocking solutions to address a type of toll fraud faced by aggregator telephones.⁴ However, the Commission also noted that this should only be offered where “technically and economically feasible,” recognizing that some providers may not yet have the capability to offer the service until they are able to upgrade their equipment in the “normal course of their investment programs.”⁵ Likewise, in this proceeding, the Commission should enable telecommunications carriers to investigate and implement call-blocking technologies where it is technically and economically practical, and refrain from mandating that carriers offer the service when it is not available or affordable to them.

The policy implications raised in this proceeding are separate and distinct from the requirement of carriers to complete all calls and refrain from engaging in “abusive or anticompetitive practices.”⁶ As NTCA has detailed in numerous filings dating back to 2011, voice calls to consumers and businesses located in rural areas of the United States have been dropped or blocked before reaching the networks of rural rate-of-return regulated local exchange carriers.⁷ Such calls have been blocked *without* the customer’s consent, and, in many cases, the practice has resulted in severe, adverse impacts to the rural customer’s health, safety, and/or

⁴ *Policies and Rules Concerning Operator Service Access and Pay Telephone Compensation*, CG Docket No. 91-35, Third Report and Order, ¶8 (1996).

⁵ *Id.*

⁶ Public Notice at 2.

⁷ See *In the Matter of Rural Call Completion*, WC Docket No. 13-39, Opposition to Petitions for Reconsideration of the Rural Call Completion Order (2014); Reply Comments (2014); Reply Comments (2013); and Comments (2013) of National Exchange Carrier Association, Inc., NTCA–The Rural Broadband Association, Eastern Rural Telecom Association, and WTA – Advocates for Rural Broadband.

economic vitality. This is in direct opposition to this proceeding wherein NTCA is advocating that call-blocking technology should only be implemented *at the customer's request*, and enabled for a discrete period of time before re-authorization would be required. However, the issues raised in the ongoing rural call completion proceeding and this seemingly unrelated Public Notice discussing telemarketing robocalls are summarily linked, as, in both cases, the customer's needs and desires trump all additional objections.

For the aforementioned reasons, the Commission should take swift and effective action to address the robocall problem, and should allow comprehensive blocking of international, originating calls at the end-user's request, for a discrete period of time, and when a solution is economically and technically feasible for the rural telecommunications carrier to implement.

Respectfully submitted,



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