

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Advanced Methods to Target and Eliminate Unlawful Robocalls)	CG Docket No. 17-59
)	
Call Authentication Trust Anchor)	WC Docket No. 17-97

REPLY COMMENTS OF THE VOICE ON THE NET COALITION

The Voice on the Net Coalition (“VON”)¹ hereby files these reply comments in response to the initial comments addressing the Fifth Notice of Proposed Rulemaking in the above-captioned proceeding.² VON supports Commission efforts to reduce the number of foreign-originated robocalls but recommends that any new regulations recognize the complexity of the international communications eco-system and ability to identify a foreign service provider.

As an initial matter, VON supports the INCOMPAS proposal that the Commission define “gateway provider” as the first intermediate provider in the call path of a foreign-originated call that receives traffic at its U.S.-based facilities before transmitting the call directly to another intermediate provider or a terminating voice service provider in the United States. In this definition, “U.S.-based” would mean “a U.S. located point of presence.” As INCOMPAS notes, this would clarify when a US-based provider (or its affiliates) become a gateway provider that would be subject to any rules adopted in this proceeding while also making clear that the rules do

¹ The VON Coalition promotes regulatory policies that enable Americans to take advantage of the promise and potential of IP-enabled communications. For more information, see www.von.org.

² See *Fifth Notice of Proposed Rulemaking in CG Docket No. 17-59 & Fourth Further Notice of Proposed Rulemaking in WC Docket No. 17-97*, CG Docket No. 17-59 and WC Docket 17-97, FCC 21-105 (rel. Oct. 1, 2021) (“FNPRM”); see also *Order*, CG Docket No. 17-59 and WC Docket 17-97 (Nov. 5, 2021), establishing a reply comment deadline of January 10, 2022.

not apply to entities that receive traffic in another country.³

Second, the Commission should recognize that the proposed rules would not be implemented uniformly across the industry. Service providers will make individual determinations on who is a foreign provider based on internal carrier policy and legal interpretations. This means that application of the rules will differ among service providers, leaving enterprises and foreign participants confused on registration requirements. It is extremely difficult to determine when a customer could be considered a foreign provider. For example, IP addresses can be spoofed, and businesses can use virtual offices as local addresses if operating internationally.

Third, the Commission should confirm that any mandate to permit gateway provider blocking should include originating but not terminating calls. For example, VON members work with international vendors that provide DIDs in their respective countries. The call flow for these inbound calls usually is as follows: originating vendor → intermediate provider → local telephone number owner service provider → VON member/VoIP (gateway provider) → reseller or enterprise customer. In this call flow, the gateway provider is simply terminating a call to their customer and not originating or transiting the call. Gateway providers simply terminating calls to their customers should not be required to block these calls because the foreign partner is not registered in the robocall mitigation database (RMD).⁴

³ Comments of INCOMPAS, CG Docket 17-59 (December 10, 2021) at 3-4. *See also*, Comments of iBasis, Inc., CG Docket 17-59 (December 10, 2021) at 3-4; Comments of Twilio, Inc., CG Docket 17-59 (December 10, 2021) at 2.

⁴ VON agrees with iBasis more broadly that the Commission should require gateway providers to submit a certification in the RMD describing their robocall mitigation practices but not require gateway providers to block traffic from foreign voice service providers not registered in the RMD. Comments of iBasis at 13; *see also* Comments of INCOMPAS at 11-12; Comments of Twilio at 3. The application of call authentication and robocall mitigation obligations to gateway providers arguably makes unnecessary the requirement that foreign service providers register in the RMD; and, consequently, that those not registered should have their calls blocked by intermediate or terminating voice service providers. *See also* Comments of Comcast Corporation, CG Docket 17-59 (December 10, 2021) at 10-11.

Fourth, VON agrees with Twilio that gateway providers that do block calls should be subject to transparency and redress requirements.⁵ Moreover, as noted by INCOMPAS, companies are reporting that redress may be short-lived; with lawful calls getting blocked again within a day or two after the block has been lifted.⁶ Thus, the Commission should not mandate any additional blocking requirements until the analytics and the redress process have been adequately tested to ensure lawful calls will be completed.⁷

For the reasons stated above, VON respectfully requests the Commission to act in accordance with the recommendations herein.

Respectfully submitted,

VOICE ON THE NET COALITION

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⁵ Comments of Twilio at 7;

⁶ Comments of INCOMPAS at 14.

⁷ Id. *See also* Comments of I3Forum, CG Docket 17-59 (December 10, 2021) at 6.