

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

In the Matter of

*Advanced Methods to Target and Eliminate
Unlawful Robocalls –
REPORT AND ORDER AND
FURTHER NOTICE OF PROPOSED
RULEMAKING*

CG Docket No. 17-59

COMMENTS OF TRANSACTION NETWORK SERVICES, INC.

January 23, 2018

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I. INTRODUCTION AND SUMMARY

Transaction Network Services (“TNS”) hereby submits the following comments in response to the Federal Communication Commission’s (“FCC” or “Commission”) *Advanced Methods to Target and Eliminate Unlawful Robocalls* regarding rules allowing providers to block calls from phone numbers on a Do-Not-Originate (DNO) list and those that purport to be from invalid, unallocated, or unused numbers. TNS fully supports the Commission’s efforts to protect consumers from fraudulent and harassing robocalls.

TNS thanks the Commission for the opportunity to comment on (1) this Report and Order and Further Notice of Proposed Rulemaking, allowing providers to block calls from phone numbers on a Do-Not-Originate (DNO) list and those that purport to be from invalid, unallocated, or unused numbers, (2) a mechanism to allow for dispute resolution, and (3) ways in which to measure the effectiveness of the FCC’s efforts.

II. BACKGROUND

TNS' Telecommunication Services Division addresses the full needs of over 500 wireless and wireline operators in the US and globally. Its portfolio of network signaling, roaming and clearing, wireless fraud management, database and registry solutions, and mobile client services enables the successful delivery of subscriber services anywhere at any time.

From small rural operators in the US to the largest multi-national telecommunication providers around the globe, our portfolio of network, identity, discovery and routing solutions enables the successful and reliable delivery of telecommunications transactions around the globe, while our clearing, settlement and anti-fraud solutions ensure accurate and timely billing and clearing of inter-carrier transactions.

With the launch of TNS Call Guardian ("Call Guardian") in 2016 and now deployed at three of the top five wireless service providers in the US through Cequent, the company's wholly-owned subsidiary that delivers enhanced caller identification and call management services to wireless operators, TNS provides a lightweight and flexible solution to identify and filter unwanted robocalls, via real-time telephone number reputation analysis. Call Guardian is available for both TDM/SS7 and VoIP, supporting several access protocols, and offers our partners the most accurate and timely detection of robocallers in the market through real-time analysis of over 1 billion call events per day.

III. DISCUSSION

A. Implications of Future Considerations and Current Policy and Technology.

TNS applauds the Commission's continued efforts to address malicious and harassing robocalls. The Commission has identified several ways in which calling providers can provide a minimum level of protection against nuisance and scam calls. That said, TNS proprietary information reflected in the TNS Call Guardian portal data indicates that the number of problem calls from invalid and unallocated numbers is quite low. As mentioned in TNS' response to the related NPRM, the volume of call activity from invalid and unallocated numbers is still very small, despite the growth in the total number of unique invalid/unallocated telephone numbers seen across the network. For reference, the total unique numbers observed in this category by Call Guardian has risen from 13 million in March of 2017 to over 123 million by January 2018.

1. Risks.

Primarily, the chief risk to the current approach is that it is possible to see the ways in which bad actors will get around the restrictions outlined in this R&O/FNPRM. Without providing a roadmap for bad actors, TNS states that it is, at a macro level, clear that bad actors may get around these restrictions by a) spoofing assigned phone numbers belonging to other entities, as stated by both ATIS and TNS in their responses to the NPRM, and that b) using and quickly disposing of and cycling through legitimate phone numbers, which incidentally may pose a challenge to STIR/SHAKEN efforts, as well. Though spoofing is, in many cases, as the Commission states, "the key to making scam calls work," this may not always be the case.

The benefit DNO offers is to the entities who are the victims of spoofing, but this does not necessarily translate to a benefit to consumers. Spoofers do not depend on what the Commission refers to as "high-profile numbers" so much as they depend on their ability to

influence consumers. Consumers do not have entities' telephone numbers memorized, and as such are not protected if the bad actors are effective in convincing the consumers that they represent such entities as the IRS.

The Commission has warned against adding numbers used to make outbound calls to the DNO list. This is a valid concern, but it is easy to imagine that this concern, without a management mechanism that indemnifies and addresses vetting of entities for calling providers will render this an initiative that providers are reluctant to adopt.

It is TNS' belief that the FCC may not sufficiently have addressed the concern that bad actors will shift to increased spoofing of assigned numbers as a function of this ruling.

2. Ongoing Policy Questions.

There are tools available to support blocking of a larger subset of the bad actor calling. Operators require further clarity around safe harbor for implementation of call blocking technology. The current model risks appearing as "all stick and no carrot" if operators are not provided with more information about whether and in which manner they are protected if they act in good faith to block calls. TNS suspects the FCC will see wider-spread adoption of robocall protections when this area has been further detailed.

3. Further Analysis of Existing Solutions.

As CTIA notes, a voluntary regime used to identify and block calls allows carriers to identify bad actors without forcing them to develop capabilities they do not currently possess. TNS Call Guardian looks to its track record and carrier partners and concurs. It is our belief that further exploration of the relative value and role of analytics providers, as well as their policies regarding data security and privacy, would be a timely addition to the Commission's efforts.

4. *Dispute Resolution.*

The Commission seeks comment on two discrete lines of inquiry, the first of which has been in place within TNS' product functionality since the launch of TNS Call Guardian: dispute resolution. The Commission has suggested that there is assurance that erroneously blocked calls must be unblocked as soon as possible. A formal challenge mechanism is, in our experience, a delicate system to put in place, and each assertion requires significant research. Naturally, bad actors as well as good are willing to engage in challenges of the risk assessments attached to their outbound calls. Whether a call has been erroneously assessed as a potential risk is almost always in the eye of the beholder. Therefore, systems that operators deploy to block suspected fraudulent calls must have the ability to quickly assess the reason a telephone number had been assigned a negative reputation based on data such as call history, recent calling behavior, consumer feedback, and other parameters. Further discussion about call origination practices is ongoing within the industry, and will eventually yield more clarity around dispute resolution.

5. *Ways in which to Measure Effectiveness of FCC Efforts.*

The Commission asks whether it should mandate reporting in order to aid it in its determination as to whether its efforts have been successful. It may be unduly burdensome to calling providers to ask them to develop this mechanism. Instead, it may make sense to allow a reduction in FCC/FTC complaints about robocalls to serve as this indication. In addition, TNS stands ready to assist the Commission with meaningful data about the changing landscape, as this data is tracked within the TNS Call Guardian portal.

IV. CONCLUSION

TNS shares its support for the Commission's ongoing pursuit of solutions in combatting illegal robocalls. The illegal robocalling environment and the industries involved in addressing the attendant issues are constantly evolving. TNS stands ready to support the Commission with detailed background about the current robocalling landscape and its evolution and direction.