

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
)
Advanced Methods to Target and) CG Docket No. 17-59
Eliminate Unlawful Robocalls)

**Reply Comments
of**

**Consumers Union
National Consumer Law Center, on behalf of its low-income clients
Consumer Action
Consumer Federation of America
National Association of Consumer Advocates
Public Citizen**

February 22, 2018

Consumers Union, National Consumer Law Center, Consumer Action, Consumer Federation of America, National Association of Consumer Advocates, and Public Citizen welcome the opportunity to submit reply comments in response to the Further Notice of Proposed Rulemaking (FNPRM) on Advanced Methods to Target and Eliminate Unlawful Robocalls.¹ We applaud the Federal Communications Commission (FCC) for clarifying that voice service providers may block four categories of clearly spoofed calls: at the request of the subscriber to the spoofed number, and calls spoofed with invalid, unallocated, or unassigned numbers.² We hope this step will provide consumers with some measure of relief against the unrelenting fraudsters who seek to evade detection through caller ID spoofing. However, there is much work left to be done. The new rules are just a stopgap measure that will do little to address the larger problem of unwanted, autodialed calls, or “robocalls.” Because the new rules target only this narrow set of robocalls—and voice service providers are not required to participate in the blocking—these rules will not affect the vast majority of unwanted calls, including calls fraudulently spoofed using legitimate, active numbers, as well as unlawful non-spoofed calls, such as telemarketing calls made in violation of the Telephone Consumer Protection Act (TCPA) or the Do Not Call Registry.³

Thus, we urge the FCC to redouble its efforts against unwanted calls. In response to the comments submitted in this proceeding, we reiterate⁴ and expand on the following essential actions we believe the FCC should take to more significantly limit unwanted robocalls:

1. Require voice providers to implement caller ID authentication and offer advanced call-blocking tools to all customers, at no extra charge, by a reasonable deadline;⁵
2. Establish an unblocking system that follows a set of criteria to ensure consumer control of the calls they receive; and
3. Require providers to submit on a quarterly basis to the FCC comprehensive information about the implementation and efficacy of their current call-blocking

¹ 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 (Rel. Nov. 17, 2017), *available at* https://ecfsapi.fcc.gov/file/111717758568/FCC-17-151A1_Rcd.pdf [hereinafter Report and Order].

² *Id.* at ¶1.

³ *See*, Comments of Transaction Network Services at 5, CG Docket No. 17-59 (Jan. 23, 2018), <https://ecfsapi.fcc.gov/file/10124301168856/TNS%20FCC%2017-59%20%20Comments%201-23-18.pdf>.

⁴ *See*, Comments of Consumers Union, National Consumer Law Center, et al., CG Docket No. 17-59 (Jan. 23, 2018),

<https://ecfsapi.fcc.gov/file/10124133525388/Consumer%20group%20comments%20FNPRM%201.23.18.pdf>.

⁵ We request that the FCC require voice service providers to offer this technology if it has the authority to do so. For example, the FCC noted in 2015, “While we do not at this time require carriers to offer consumers call-blocking tools, we will continue to watch the development of such tools[,]” suggesting that it has the authority to require call-blocking. *See*, In the Matter of Rules and Regulations Implementing the Telephone Consumer Protection Act, Declaratory Ruling and Order, CG Docket No. 02-278, at ¶163 (Rel. July 10, 2015), https://apps.fcc.gov/edocs_public/attachmatch/FCC-15-72A1.pdf [hereinafter Declaratory Ruling and Order]. If the FCC does not have this authority, then we request that they continue to press the voice service providers offer it.

services, and release a yearly report in consultation with the Federal Trade Commission (FTC) based on that information.

1. Require voice providers to implement caller ID authentication and offer advanced call-blocking tools to all customers, at no extra charge, by a reasonable deadline.

Despite protections such as the Do Not Call Registry, unwanted calls have been a top source of complaints to the FCC for years,⁶ and were the source of more than seven million complaints to the FTC in fiscal year 2017—over twice as many complaints as in fiscal year 2014.⁷ If left unchecked, the robocall problem will only grow worse. Many of these calls have “spoofed,” i.e. false, caller ID information, which poses a challenge to robocall mitigation efforts. Fraudsters can easily hide detection by inputting misleading caller ID information, and cycle through many different numbers in a short period of time.⁸ The FCC should now, without further delay, require voice service providers to implement a system to verify caller ID information within a reasonable deadline, to allow consumers to easily identify and block unwanted spoofed calls. It should be comprehensive: specifically, it should block calls that fail to authenticate their caller ID information; it should be available to all customers at no extra charge; and it should protect against calls originating internationally as well as domestically. In addition, we support certain exceptions to the display of caller ID information to the called party. We recognize that there are legitimate reasons to spoof certain calls, and are not advocating for a change in the exceptions permitted for law enforcement, victims of crimes, and other callers permitted to block caller ID information in the Communications Act⁹ and FCC regulations.¹⁰

Second, voice service providers should be required to offer to all of their customers, including traditional landline customers, optional, effective, and comprehensive tools to block all unwanted calls, as quickly as those tools can be made available. The technology is now available: AT&T and T-Mobile already offer free call-blocking tools to mobile and, in the case

⁶ Fed. Commc’ns Comm’n, Consumer Complaint Center, Unwanted Calls (last visited Feb. 18, 2018), <https://consumercomplaints.fcc.gov/hc/en-us/articles/115002234203-Unwanted-Calls>.

⁷ *National Do Not Call Registry Data Book FY 2017*, FED. TRADE COMM’N at 6 (Dec. 2017), https://www.ftc.gov/sites/default/files/filefield_paths/dnc_data_book_fy2017.pdf [hereinafter DNC Data Book FY 2017].

⁸ *Ringling off the Hook: Examining the Proliferation of Unwanted Calls, Before the United States Senate Special Comm. on Aging*, 114th Cong. at 11 (2015) (testimony of the Federal Trade Commission), http://www.aging.senate.gov/imo/media/doc/FTC_Greisman_6_10_15.pdf.

⁹ 47 U.S.C. § 227(e)(3)(B).

¹⁰ 47 C.F.R. §64.1604(b). See also Comments of Consumers Union et al, WC Docket No. 17-97 (August 11, 2017); <http://consumersunion.org/wp-content/uploads/2017/08/Robocalls-FCC-NOI-on-caller-ID-authentication-CU-comments-final.pdf>. As the Commission has noted, providers may be able to verify that caller ID information is valid, without necessarily transmitting personal information to the call recipient. We agree that consumers should be able to use this option. See, Fed. Commc’ns Comm’n, Call Authentication Trust Anchor, Notice of Inquiry, WC Docket No. 17-97 (July 14, 2017) at ¶43, available at <https://ecfsapi.fcc.gov/file/07141096201120/FCC-17-89A1.pdf>.

of AT&T, Voice over Internet Protocol (VoIP) customers,¹¹ and Primus Canada has offered a similar technology to its traditional landline and VoIP customers since 2007.¹² However, many consumers in the United States, particularly landline customers, still do not have access to effective call-blocking tools. The clear benefit to consumers outweighs the costs of implementing this technology. The FCC should not delay taking this essential step to protect Americans' privacy.

2. Establish an unblocking system that follows a set of criteria to ensure consumer control of the calls they receive.

It is also essential to make sure that call-blocking tools are not weakened by overly permissive challenge mechanisms. Though the FCC's new call-blocking rules have not yet taken effect, the calling industry is already complaining about falling call-completion rates.¹³ Some have requested that the FCC require voice service providers to "whitelist" their numbers.¹⁴ Moreover, the calling industry is seeking challenge mechanisms to evade optional call-blocking services that have been implemented over the course of the last year, like AT&T's Call Protect and T-Mobile's Scam Block,¹⁵ even though the FCC has explicitly ruled that call recipients may opt-in to services that block unwanted calls.¹⁶

Any call-blocking runs some risk of blocking wanted calls, of course—even the narrowly-targeted call-blocking mechanisms that have been permitted by the newly approved rules. However, consumer complaints about the seemingly unstoppable onslaught of robocalls need to be addressed. If callers can trump consumers' express efforts to block calls, the whole purpose of

¹¹ AT&T Mobile Security & Call Protect (last visited Feb. 19, 2018), <https://www.att.com/features/securityapps.html>; AT&T, Stop Unwanted Calls with Digital Phone Call Protect (last visited Feb. 21, 2018), <https://www.att.com/esupport/article.html#!/u-verse-voice/KM1235421>; T-Mobile, Call Protection Solutions (last visited Feb. 19, 2018), <https://explore.t-mobile.com/callprotection>.

¹² *Robocalls: All the Rage, An FTC Summit*, FED. TRADE COMM'N at 219 (Oct. 18, 2012), https://www.ftc.gov/sites/default/files/documents/public_events/robocalls-all-rage-ftcsummit/robocallsummittranscript.pdf.

¹³ See, Comments of Comments of Professional Association for Customer Engagement, Alorica, Inc. and the Consumer Relations Consortium at 3-4, CG Docket No. 17-59 (Jan. 23, 2018), [hereinafter Comments of PACE] [https://ecfsapi.fcc.gov/file/101230419809525/PACE%20Comments%20to%20FCC%2017-151%20\(final\).pdf](https://ecfsapi.fcc.gov/file/101230419809525/PACE%20Comments%20to%20FCC%2017-151%20(final).pdf).

¹⁴ See, Comments of Encore Capital at 2, CG Docket No. 17-59 (Jan. 22, 2018), <https://ecfsapi.fcc.gov/file/10122139049511/Encore%20comments%20CG%20Docket%20No.%2017-59%20Jan.%202018%20FINAL.pdf>; Comments of the Retail Energy Supply Association at 9, CG Docket No. 17-59 (Jan. 23, 2018), [https://ecfsapi.fcc.gov/file/10124924912256/RESA%20COMMENTS%20ON%20UNBLOCKING%20LEGITIMATE%20CALL%205BFINAL%20\(N0280011xA35AA\).pdf](https://ecfsapi.fcc.gov/file/10124924912256/RESA%20COMMENTS%20ON%20UNBLOCKING%20LEGITIMATE%20CALL%205BFINAL%20(N0280011xA35AA).pdf).

¹⁵ See Comments of ACA International at i, CG Docket No. 17-59 (Jan. 23, 2018), <https://ecfsapi.fcc.gov/file/10123435321240/ACA%20Comments-Call%20Blocking%20Mitigation%20FNPRM-1-23-18-FINAL.pdf>; Comments of Colonial Penn Life Insurance Company at 3, CG Docket No. 17-59 (Jan. 23, 2018), [https://ecfsapi.fcc.gov/file/10123056618678/COLONIAL%20PENN%20LIFE%20COMMENTS%20FINAL%201%2023%2018%20\(N0280009xA35AA\).pdf](https://ecfsapi.fcc.gov/file/10123056618678/COLONIAL%20PENN%20LIFE%20COMMENTS%20FINAL%201%2023%2018%20(N0280009xA35AA).pdf).

¹⁶ Declaratory Ruling and Order, *supra* note 5, at ¶154.

call blocking will be undermined. Indeed, the millions of complaints annually to federal agencies, as well as the hundreds of thousands of consumers who have pushed for greater robocall protections,¹⁷ counsel strongly against challenge mechanisms that are overly permissive.

To ensure that consumer control over their calls is respected—that consumers receive only the calls they want—any challenge mechanism must follow a set of consumer-friendly criteria.

- a. Establish one nationwide unblocking system funded by members of the calling industry who seek to participate in it.

Requiring every individual telephone service provider to develop and run its own unblocking system would be an expensive and unnecessary duplication of efforts. Additionally, if the phone companies were each required to handle and pay for the unblocking requests of callers, those costs would inevitably be passed along to telephone subscribers. Instead, the FCC should establish a centralized call-unblocking system run pursuant to explicit guidelines of the FCC. The system should be paid for by members of the calling industry who would like to benefit by using it, with the exception of government agencies.

Another reason to ensure that any unblocking system should be centrally run, and paid for by the callers, is that otherwise, the costs of maintaining such a system would be a strong disincentive for phone companies to offer free robocall-blocking tools to their customers. Instead, the costs should be borne by the callers who seek the benefits of participating in it. By requiring that the callers pay for the system, that will also help ensure that the callers invest the time and effort to appropriately address any more complex requests. For example, one commenter requested that the FCC require phone companies to offer unblocking systems that allow callers to challenge multiple numbers at once;¹⁸ and PACE is requesting that challenge mechanisms “scale to allow inquiry and modification for everything from a single number to hundreds of numbers at a time[,]”¹⁹ to make it easier to circumvent blocks. Predictably, telemarketers will have incentive to seek every imaginable exception, unless they are required to incur the expense of considering whether they are appropriate and feasible, and developing them if they are.

There remains the complex issue of what criteria such an unblocking process should employ to determine which calls should be allowed despite an initial block. We address the overarching principles in subsections (b) and (c) of these comments below.

¹⁷ Consumers Union, End Robocalls.org (last visited Feb. 18, 2018) <https://consumersunion.org/end-robocalls/>.

¹⁸ Comments of the Retail Energy Supply Association at 9, CG Docket No. 17-59 (Jan. 23, 2018), [https://ecfsapi.fcc.gov/file/10124924912256/RESA%20COMMENTS%20ON%20UNBLOCKING%20LEGITIMATE%20CALL%20%5BFINAL%5D%20\(N0280011xA35AA\).pdf](https://ecfsapi.fcc.gov/file/10124924912256/RESA%20COMMENTS%20ON%20UNBLOCKING%20LEGITIMATE%20CALL%20%5BFINAL%5D%20(N0280011xA35AA).pdf).

¹⁹ Comments of PACE, *supra* note 13, at 4.

b. Require callers that request unblocking to demonstrate compliance with the law.

Callers should be required to prove that they do not have a history of violations before their calls are unblocked. Even though a call may be from a legitimate company, rather than a fraudster, the caller may not necessarily be making calls in compliance with the consent requirements of the TCPA or the Do Not Call Registry. For example, one of the commenters in this proceeding, Sirius XM, which is seeking easy unblocking mechanisms,²⁰ has been the subject of multiple TCPA suits.²¹ It would not be enough, as Sirius XM requests, for “the calling party to make a request, accompanied by a sworn statement that its calls are legal under the Commission’s rules, to have all calls from that number unblocked.”²² Moreover, the caller should be able to prove that it is providing authenticated caller ID information, to ensure that it is not engaging in spoofing to evade detection.

The burden should be on the caller to prove that its calls are legal. While the calling industry, represented by PACE, requests that the “Commission should place the burden on the carrier to prove, by clear and convincing evidence, that the calls being blocked are illegal or the caller is not authorized to request blocking status modification because the caller does not have authorization to originate calls using that number[.]”²³ this is not practical. The caller is in the best position to gather and provide the information necessary to answer this question. Telephone providers are not in the business of evaluating the legality of calls. The only burden that should be placed on phone service providers—and it is a significant but essential one—is that calls should be authenticated. The centralized system evaluating whether a certain caller’s calls should be unblocked should test whether the callers are making TCPA compliant calls. This would integrate incentives into the entire system to help promote compliance with the TCPA.

c. Prohibit lifting the block for calls blocked at the request of the recipient, either blocked individually or through a call-blocking service, without the affirmative consent of the consumer.

Consumers fought hard for the ability to block unwanted calls. The phone industry long resisted implementing advanced call-blocking services, claiming that they did not have the legal

²⁰ Comments of Sirius XM Radio Inc. at 2, CG Docket No. 17-59, (Jan. 23, 2018), [https://ecfsapi.fcc.gov/file/1012301535116/SIRIUS%20XM%20COMMENTS%20FINAL%201%2023%2018%20\(N0280004xA35AA\).pdf](https://ecfsapi.fcc.gov/file/1012301535116/SIRIUS%20XM%20COMMENTS%20FINAL%201%2023%2018%20(N0280004xA35AA).pdf).

²¹ See, Hooker v. Sirius XM Radio, Inc., Class Complaint, No. 4:13-cv-00003-AWA-LRL, (E.D. Va.) (Jan. 4, 2013), available at <https://www.siriusxmtcpasettlement.com/Content/Documents/Hooker%20Complaint.pdf>; Parker v. Sirius SM Radio, Inc., Class Action Complaint, No. 8:15-cv-01710-JSM-EAJ, (M.D. Fla.) (Jul. 22, 2015), available at <https://www.siriusxmtcpasettlement.com/Content/Documents/Parker%20Complaint.pdf>; Elikman v. Sirius XM Radio, Inc., Second Amended Class Action Complaint, No. 1:15-cv-02093 (E.D. Ill.) (Apr. 1, 2015), available at <https://www.siriusxmtcpasettlement.com/Content/Documents/Elickman%20Complaint.pdf>.

²² Comments of Sirius XM Radio Inc., *supra* note 20, at 7.

²³ Comments of PACE, *supra* note 13, at 5.

authority to do so.²⁴ But then the FCC, at the request of 39 attorneys general,²⁵ considered the issue and ruled in 2015 that voice service providers can, and indeed should, offer these services, recognizing that these services could be helpful in enabling consumers to block even legal telemarketing calls when they are unwanted.²⁶ Thousands of consumers petitioned the FCC to clarify that providers may legally offer these optional call-blocking tools,²⁷ and nearly three quarters of a million have called on providers to offer these tools.²⁸

Many voice service providers offer consumers the option to block a set number of individual numbers, or to opt into a service such as Anonymous Call Block.²⁹ And several providers now offer more advanced tools to automatically identify and block calls. These tools are not always free—often, consumers pay to be able to use these services.³⁰ Telemarketers should not be allowed to circumvent the optional call-blocking systems that consumers frequently pay to use, without the call recipient’s explicit consent. Furthermore, though the calling industry is seeking the ability to circumvent these blocks, this is not even at issue in this proceeding, which relates to what narrow categories of calls that providers should be able to block without the consumer’s prior permission.³¹

We encourage voice service providers and call-blocking companies to do their utmost to make sure consumers receive wanted calls, and to provide clear disclosures to consumers that call-blocking systems may block wanted calls, along with steps consumers can take to minimize that risk, or address it. But call blocking is consumers’ last line of defense against telemarketers who fail to obey the law. Finally, as CTIA points out, “If legitimate callers see a drop in call completion, it is likely to be because of third-party services and apps, or because consumers are simply not picking up the phone.”³²

²⁴ *Stopping Fraudulent Robocall Scams: Can More Be Done?*, Before the United States Senate Subcomm. on Consumer Protection, Product Safety, and Insurance, 113th Cong. (2013) (Prepared Statement of Kevin Rupy, USTelecom), <http://www.gpo.gov/fdsys/pkg/CHRG-113shrg85765/html/CHRG-113shrg85765.htm>.

²⁵ Letter from Greg Zoeller et al. to Tom Wheeler (Sept. 9, 2014), <http://law.alaska.gov/pdf/consumer/090914Robocalling.pdf>.

²⁶ Declaratory Ruling and Order, *supra* note 5, at ¶ 157, 162.

²⁷ *Id.* at ¶ 155.

²⁸ Consumers Union, End Robocalls (last visited Feb. 18, 2018) <https://consumersunion.org/end-robocalls/>.

²⁹ See, for example, AT&T’s Anonymous Call Blocking and Call Screening, *Phone Calling Features and Star Codes*, AT&T (last visited Feb. 19, 2018), <https://www.att.com/esupport/article.html#!/local-long-distance/KM1052856>.

³⁰ Carla Fried, *New Study Finds Some Phone Companies Offer Better Robocall Protection Than Others*, CONSUMER REPORTS, (Oct. 26, 2016), <https://www.consumerreports.org/consumer-protection/the-best-service-providers-for-blocking-robocalls/>.

³¹ Report and Order, *supra* note 1, at ¶ 9 fn 26.

³² Comments of CTIA at 6, CG Docket No. 17-59 (Jan. 23, 2018), <https://ecfsapi.fcc.gov/file/1012306935596/170123%20CTIA%20Call%20Blocking%20FNPRM%20Comments.pdf>

- d. Do not implement a “universal whitelist” until call spoofing is effectively addressed, and then limit it to emergency calls only.

Several companies and organizations have asked that the FCC establish a simple way for their numbers to be “whitelisted.”³³ While this may seem like a reasonable idea for important calls that consumers want to receive, implementing it now raises several concerns. First, it could allow telemarketers to circumvent optional call-blocking tools. Second, it could allow fraudsters to evade call-blocking by spoofing the numbers of whitelisted telemarketers. For these reasons, universal whitelisting should be avoided until the spoofing problem can be completely eliminated and effective call authentication is established throughout the American system of telephones. And even then, universal whitelisting should be limited to emergency calls only, so consumers can continue to exercise their preferences in blocking unwanted calls. Consumers can easily opt to receive specified non-emergency calls that they want to receive, without this decision being made for them.

3. Require providers to submit on a quarterly basis comprehensive information about the implementation and efficacy of their robocall mitigation work, and release a yearly report with the FTC based on that information.

Voice service providers have been making progress in fits and starts in the fight against unwanted calls. Much of that progress has been made under the auspices of the Robocall Strike Force, the voluntary industry group created at the request of the FCC in 2016.³⁴ However, the work of the Robocall Strike Force is private, and though they have published two reports about their progress,³⁵ we know little more about unwanted calls than we did five years ago.³⁶

The FCC plans to work with the Federal Trade Commission to release a report on the robocall problem, one year after these rules go into effect.³⁷ We applaud this effort, but think even more should be done. The providers should be required to report quarterly on topics including, but not limited to, their robocall mitigation efforts, robocall-blocking services they currently offer, progress toward call authentication, the number of robocalls blocked, percentage blocked based on the estimated volume of robocalls going through their networks, false positives, types of calls (for example, debt collection, telemarketing, etc.), and strategies

³³ See, for example, Comments of Encore Capital, *supra* note 14, at 2.

³⁴ *Second Meeting of the Industry-Led Robocall Strike Force*, FED. COMMC’NS COMM’N, (Oct. 26, 2016), <https://www.fcc.gov/news-events/events/2016/10/second-meeting-industry-led-robocall-strike-force>.

³⁵ Robocall Strike Force Report, (Oct. 26, 2016), <https://transition.fcc.gov/cgb/Robocall-Strike-Force-Final-Report.pdf>; Industry Robocall Strike Force Report, (Apr. 28, 2017), <https://www.ustelecom.org/sites/default/files/documents/Ex%20Parte-Strike-Force-Report-2017-04-28-FINAL.pdf>.

³⁶ One exception is the YouMail Robocall Index, provided by the third-party call-blocking service YouMail, which for nearly three years has estimated the volume of robocalls made in the United States on a monthly basis. See YouMail Robocall Index (last updated Feb. 1, 2018), <https://robocallindex.com/>.

³⁷ Report and Order, *supra* note 1, at ¶ 63.

employed by robocallers to evade detection.³⁸ The FCC, in consultation with the FTC, should release a yearly report based on that information. Complaint data should be included as one metric, but the percentage of robocalls blocked will be a key factor in measuring progress.

While several commenters to the record favor voluntary reporting requirements, we do not believe this provides sufficient protections for consumers. Voluntary reporting will not be adequate to obtain the information necessary to reliably evaluate the unwanted call problem. USTelecom, for example, says a voluntary reporting framework would afford the FCC more flexibility and speed in completing the report, and would allow other stakeholders, such as third-party blocking services, to participate.³⁹ However, a thorough report with helpful information should be the ultimate goal, and that will best be achieved through mandatory reporting requirements. Stakeholders not under the FCC's jurisdiction, such as the third-party blocking companies, should be encouraged to participate as well.

Until the unwanted call problem is fully understood, it will be impossible to take effective action. This data will be of key importance as the FCC evaluates next steps in the fight against unwanted calls. In addition, until caller ID authentication and advanced call-blocking tools are fully implemented and offered to consumers, consumers need as much information as possible to help them decide which phone provider offers them the best protection against unwanted calls. For these reasons, we think voice service providers should also be required to report information about the types of services they have implemented to stop unwanted calls, and their efficacy.

Conclusion

Over the last decade, complaints about unwanted calls have skyrocketed,⁴⁰ and in the last few years, the volume of robocalls has doubled.⁴¹ Too often, robocall-blocking services are consumers' last resort to protect their privacy. We urge the FCC to require voice service providers to provide free, effective caller ID authentication and robocall-blocking tools to their customers to give consumers the ability to control what calls they receive, and to establish a

³⁸ For example, we agree with USTelecom that information about techniques such as “the spoofing of legitimate numbers, neighbor spoofing and mirror spoofing, that bad actors may deploy in order to bypass blocking tools[.]” would be helpful to consumers. Comments of USTelecom at 9-11, CG Docket No. 17-59, <https://ecfsapi.fcc.gov/file/10123041115412/USTelecom-NPRM-Comments-2018-01-23-FINAL.pdf>.

³⁹ *Id.* at 11.

⁴⁰ *See*, DNC Data Book FY 2017, *supra* note 7, at 6 (showing over 7 million complaints about unwanted calls in that year), and *National Do Not Call Registry Data Book FY 2011*, FED. TRADE COMM'N at 4 (Nov. 2011), https://www.ftc.gov/sites/default/files/documents/reports_annual/fiscal-year-2011/111130dncdatabook.pdf (showing nearly 1.8 million complaints in FY 2008).

⁴¹ According to YouMail, in January 2018, 2.9 billion robocalls were placed in the United States; in June 2015, when they began publicly tracking that information, the number was 1.3 billion. YouMail Robocall Index, *supra* note 36.

consumer-friendly call unblocking system to mediate unblocking requests. Above all, the consumer must have the final say in whether they will receive a call.

Thank you again for your continued work to ensure that consumers have meaningful control over the calls they receive.

Respectfully Submitted,

Maureen Mahoney
Policy Analyst
Consumers Union

Margot Saunders
Senior Policy Counsel
National Consumer Law Center

Descriptions of the Organizations Joining this Filing

Consumers Union is the public policy and mobilization division of Consumer Reports. Consumers Union works for a fair, just, and safe marketplace for all consumers and to empower consumers to protect themselves, focusing on the areas of telecommunications, health care, food and product safety, energy, and financial services, among others. Consumer Reports is the world's largest independent product testing organization. Using its more than 50 labs, auto test center, and survey research center, the nonprofit organization rates thousands of products and services annually. Founded in 1936, Consumer Reports has over 8 million subscribers to its magazine, website, and other publications.

Consumer Action has been a champion of underrepresented consumers since 1971. A national, nonprofit 501(c)(3) organization, Consumer Action focuses on financial education that empowers low to moderate income and limited English-speaking consumers to financially prosper. It also advocates for consumers in the media and before lawmakers and regulators to advance consumer rights and promote industry-wide change particularly in the fields of credit, banking, housing, privacy, insurance and utilities.
www.consumer-action.org

The Consumer Federation of America is an association of more than 250 nonprofit consumer groups that was established in 1968 to advance the consumer interest through research, advocacy and education.

The National Association of Consumer Advocates (NACA) is a nonprofit association of consumer advocates and attorney members who have represented hundreds of thousands of consumers victimized by fraudulent, abusive and predatory business practices. NACA is actively engaged in promoting a fair and open marketplace that forcefully protects the rights of consumers, particularly those of modest means.

National Consumer Law Center (NCLC) is a non-profit corporation founded in 1969 to assist legal services, consumer law attorneys, consumer advocates and public policy makers in using the powerful and complex tools of consumer law for just and fair treatment for all in the economic marketplace. NCLC has expertise in protecting low-income customer access to telecommunications, energy and water services in proceedings at the FCC and state utility commissions and publishes Access to Utility Service (5th edition, 2011) as well as NCLC's Guide to the Rights of Utility Consumers and Guide to Surviving Debt.

Public Citizen is a national nonprofit organization with more than 400,000 members and supporters. We represent consumer interests through lobbying, litigation, administrative advocacy, research, and public education on a broad range of issues including consumer rights in the marketplace, product safety, financial regulation, safe and affordable health care, campaign finance reform and government ethics, fair trade, climate change, and corporate and government accountability.