

May 1, 2019

Ex Parte

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No.
17-59

Dear Ms. Dortch:

On April 29, 2019, Charles Morgan, Chairman and CEO, First Orion Corp. (“First Orion”), Jennifer Glasgow, Executive Vice President, Policy and Compliance, John Ayers, Vice President, Corporate Development, and undersigned counsel met with Chairman Pai and Zenji Nakazawa, his Public Safety and Consumer Protection Advisor, and subsequently with Commissioner O’Rielly and his Wireline Legal Advisor Arielle Roth, on the above captioned proceeding.

During these meetings, First Orion noted the highly effective analysis available to its carrier partners with its real time analytics deployed in-network. When such analytics are deployed in-network, individual elements of a call can be analyzed and with the application of machine-learning and AI tools, a far more precise determination on whether a call is likely to be fraudulent in nature can be made. The Commission should encourage carriers, as it has done with STIR/SHAKEN, to make reasonable efforts to use data analytics in addition to caller authentication to protect their subscribers. The Commission should not penalize carriers if they have made such efforts to differentiate between lawful and unlawful robocalls, but nonetheless have a minimal number of false positives.

First Orion applauded the Commission’s previous ruling authorizing carrier blocking in limited circumstances, but also stressed the importance of the Commission not adopting overly prescriptive rules regarding carrier blocking. Enshrining such rules would give “scammers” a road map on how to revise their practices to evade such blocking. Furthermore, while certain “objective criteria” (call volumes, bursts of calls, etc.) may serve as data points in an analytics process, reliance on them is not sufficiently effective. Overly prescriptive rules would also chill innovation on call protection methods and technologies that must constantly evolve to face the ever-changing threat from scammers.

First Orion prefers call labeling, such as the *Scam Likely* service it has deployed with T-Mobile. Consumers can then decide if they wish to block calls labeled in certain ways. First Orion emphasized that carriers should have in place processes to quickly unblock or un-label a number that is determined to be a lawful call, but the Commission should not penalize carriers for erroneously blocking lawful calls, given the low number of false positives. First Orion's data analytics result in a fraction of a percent of false positives. Moreover, it has worked with the call originator industry to develop a registry, www.calltransparency.com, through which legitimate call originators can register their numbers to help prevent false positives. To date, there are close to 400,000 numbers registered, representing over 500 telemarketers and other legitimate call originators along with their service providers. These are the type of innovative solutions that industry can develop if Commission rules are not overly prescriptive.

First Orion supports a balanced regulatory approach to call protection solutions that will foster innovation and give consumers the tools they need to manage unwanted and illegal calls.

Sincerely,



Patricia J. Paoletta
Counsel to First Orion

cc: Zenji Nakazawa
Arielle Roth


Attachment



FIRST ORION

TRANSPARENCY IN COMMUNICATION





100 Billion scam calls
get through to
customers each year.*

And the rate is steadily growing.

Did you know...
Only 4%
of mobile consumers receive “Caller ID” services?*

That means the other
96%
only see a random number when you call them.

It's no wonder why
84%
of calls go unanswered

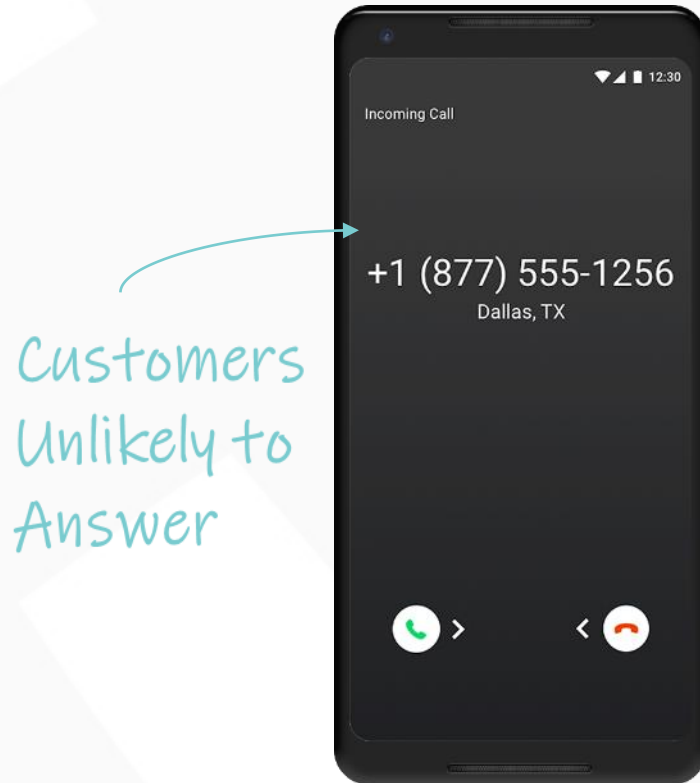
*based on internal First Orion data

[†]www.softwareadvice.com/resources/local-presence-dialing-survey/

Evolution of Scam Protection at First Orion

Year	Scam Protection Features	Analytics	Unwanted Calls	Scam Calls	Total Scam & Unwanted
2017	<ul style="list-style-type: none"> - Phone # Labeling - Sub Requested Phone # Blocking 	Realtime In-Network <ul style="list-style-type: none"> - Fast Blacklists of Phone #s (6 min updates) 	8.00%	3.70%	11.70%
2018	<ul style="list-style-type: none"> - Phone Call Labeling - Sub Requested Phone Call Blocking 	Realtime In-Network Machine Learning <ul style="list-style-type: none"> - Fast Blacklists of Phone #s (6 min updates) - Spoof Call Protection Model (CallPrinting) 	11.00%	18.67%	29.67%
2019	<ul style="list-style-type: none"> - Phone Call Labeling - Sub Requested Phone Call Blocking - Limited Carrier Blocking 	Realtime In-Network 2nd Generation Machine Learning <i>(focus on false positives)</i> <ul style="list-style-type: none"> - Fast Blacklists of Phone #s (6 min updates) - Multiple Refined Spoof Call Protection Models (Enhanced CallPrinting) - STIR/SHAKEN Intelligence from T-Mobile 	14.00%	31.58%	45.58%
2020	<ul style="list-style-type: none"> - Phone Call Labeling - Sub Requested Phone Call Blocking - Expanded Carrier Blocking - Other New Features 	Realtime In-Network 3rd Generation Machine Learning and Artificial Intelligence <i>(focus on false positives and false negatives)</i> <ul style="list-style-type: none"> - Fast Blacklists of Phone #s (6 min updates) - Multiple Refined Spoof Call Protection Models (Enhanced CallPrinting) - STIR/SHAKEN Intelligence from All Major Carriers 	???	???	???

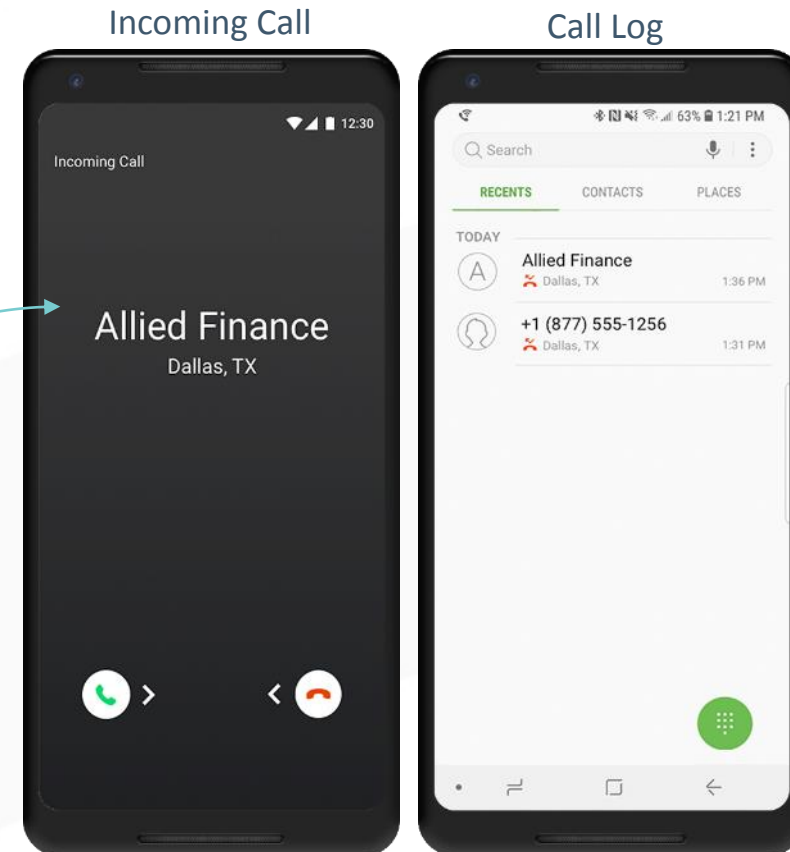
With InformSM from First Orion, Customers Know Who's Calling, Even If They Miss the Call



WITHOUT INFORM

They Know
It's You

CallerID
controlled by
the calling
party.

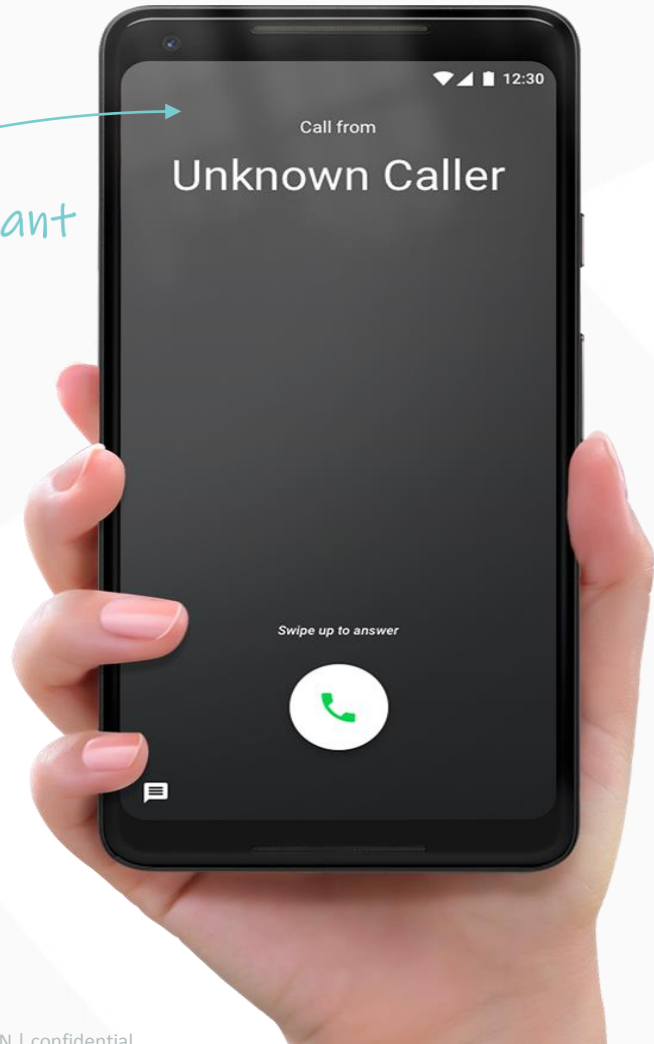


USING INFORM FROM
FIRST ORION



With Engage™ from First Orion, Customers Know Who's Calling and Why

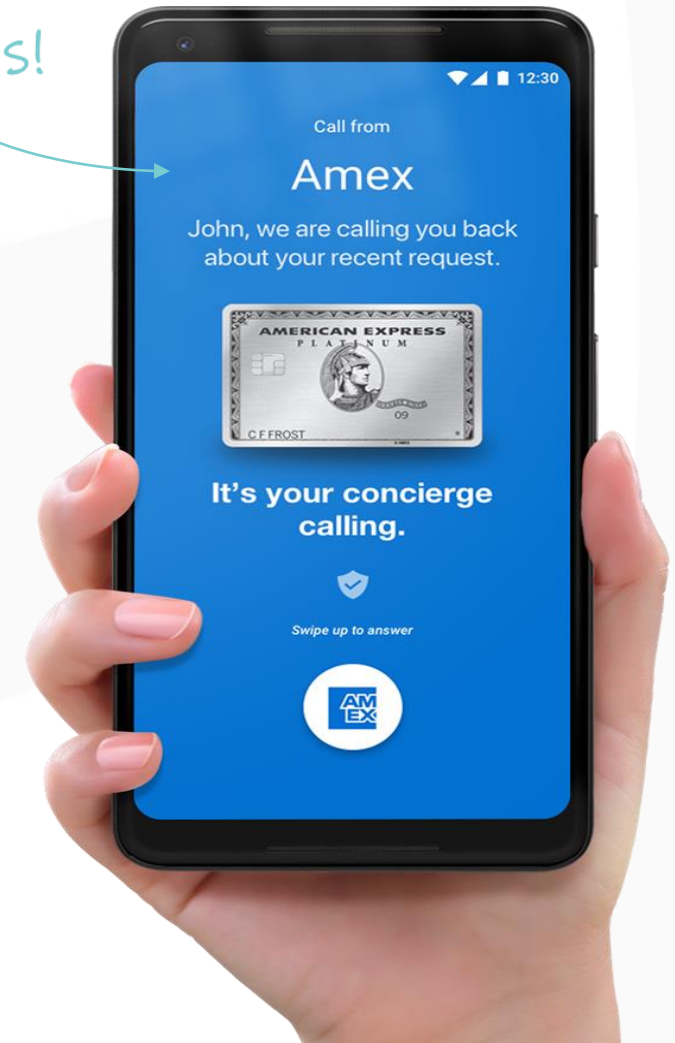
Do You Want This?



Tell consumers more than just who you are.

Tell *why* you're calling with a content-rich, branded, verified business phone call.

Or This!





Thank you!

