

May 29, 2019

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Declaratory Ruling, Advanced Methods to Target and Eliminate Unlawful Robocalls, CG Docket No. 17-59, WC Docket No. 17-97 (draft released May 16, 2019)

Dear Chairman Pai:

Public Knowledge appreciates the Commission's work to end robocalls. Robocalls are not only an annoyance, they allow scam artists, debt collectors, and other unsavory characters to target and harass consumers who do not want these calls. The prevalence of robocalls has even led to people simply ignoring phone calls, meaning they might miss important information from business and services they trust, public safety notices, or calls from friends and family.

However, we are concerned that the implementation of the Commission's proposed policies could lead to some unintended consequences.

First, any system the Commission adopts should reflect the decentralized and competitive nature of the PSTN. Users of VOIP providers such as Vonage or Skype, or of services like Twilio or Ring Central, should not have to worry that their calls are less likely to go through. Technical systems adopted to eliminate robocalls must treat all legitimate service providers equally.

Second, there should be a clear mechanism to address instances of carriers blocking calls by mistake. It is clear that consumers have the right to be free of robocalls, and unwanted calls more generally, and user choice and control must be paramount. However, no system is flawless, and it should be designed from the start with that in mind, rather than simply giving carriers an absolute safe harbor.

Finally, we appreciate the Commission's recognition that Title II of the Communications Act is the appropriate framework for prioritizing both consumer control and competition in communications networks, including protections from unlawful, harmful, and unwanted communications. The Commission's work in this regard demonstrates that it is not necessary for it to give up important legal safeguards to modernize its regulatory approach.

Respectfully submitted,



John Bergmayer
Senior Counsel
PUBLIC KNOWLEDGE