**Before the**

**Federal Communications Commission**

**Washington, D.C. 20554**

In the Matter of )

Advanced Methods to Target and Eliminate ) CG Docket No. 17-59

Unlawful Robocalls)

)

**COMMENTS OF THE MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND CABLE ON SECOND FURTHER NOTICE OF PROPOSED RULEMAKING**

COMMISSIONER KAREN CHARLES PETERSON

Massachusetts Department of Telecommunications and

Cable

1000 Washington Street, Suite 820

Boston, MA 02118-6500

Phone (617) 305-3580

Fax (617) 988-8270

June 7, 2018

**Before the**

**Federal Communications Commission**

**Washington, D.C. 20554**

In the Matter of )

Advanced Methods to Target and Eliminate ) CG Docket No. 17-59

Unlawful Robocalls )

)

**COMMENTS OF THE MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND CABLE ON SECOND FURTHER NOTICE OF PROPOSED RULEMAKING**

1. **INTRODUCTION AND EXECUTIVE SUMMARY**

On March 23, 2018, the Federal Communications Commission (“FCC” or “Commission”) released a Second Notice of Proposed Rulemaking (“NPRM”) that proposes to determine whether and how one or more databases can be made available to provide callers with the comprehensive and timely information they need to avoid calling reassigned numbers that they do not wish to call. This endeavor will assist in ensuring that consumers with reassigned numbers do not receive annoying and unwanted calls. Over 35 million telephone numbers are disconnected each year.[[1]](#footnote-1) Additionally, an estimated 100,000 wireless numbers are reassigned by telecommunications carriers every day.[[2]](#footnote-2) In Massachusetts over the two-year period from February 2016 to February 2018 there were an average 870,000[[3]](#footnote-3) aging numbers. This means that as many as 870,000 customers have disconnected their telephone numbers in the previous three months to one year, since providers have to age the residential numbers for up to ninety days and up to one year for business customers.[[4]](#footnote-4) The quantity of aging numbers can serve as an estimate for the disconnected numbers in Massachusetts in the previous three months to one year.

The Massachusetts Department of Telecommunications and Cable (“MDTC”) appreciates the opportunity to comment on this question, which is crucial for consumers and businesses. At the outset, we wish to emphasize that the FCC should establish a database of reassigned phone numbers. Creating and maintaining such a database should impose only a minimal cost on voice service providers and should be readily available to callers making legitimate robocalls.

1. **AN EFFECTIVE DATABASE ONLY REQUIRES DISCONNECTION INFORMATION**

In order to minimize the exposure of personal consumer information and minimize the effects of unscrupulous robocallers accessing the database, only disconnection information should be included in the database. MDTC concurs with the comments of eight national consumer groups that only the following information needs to be collected and stored: 1) the phone number; 2) the date the number is deactivated; and 3) the telephone service provider reporting the information.[[5]](#footnote-5) There is no need to include any consumer information in the database.

1. **CALLERS NEED DATA FROM ALL TYPES OF VOICE SERVICE PROVIDERS**

Callers need data from all types of voice service providers, including wireless, wireline, interconnected VoIP and non-interconnected VoIP providers, because unwanted calls are made to consumers’ telephone numbers, regardless of service type.

1. **CALLERS DO NOT REQUIRE EXTENSIVE INFORMATION CONCERNING NUMBERS THAT HAVE BEEN DISCONNECTED**

MDTC believes that callers do not need “any additional information beyond an indication of whether a particular number has been reassigned since a particular date.”[[6]](#footnote-6) We are not aware of reasons why callers would need the actual date on which the number was reassigned or the name of the individual currently associated with the number. MDTC agrees with the FCC that the database should be able to indicate whether a number has been reassigned since a date entered by the caller.[[7]](#footnote-7)

1. **INFORMATION CONTAINED IN A REASSIGNED NUMBERS DATABASE SHOULD BE TIMELY**

The information contained in a reassigned numbers database should be timely so that callers can update their lists quickly, thereby reducing the number of unwanted calls without undue delay.

1. **CONCLUSION**

MDTC supports a database that is easy for callers to use; easy for telephone service providers to use; cost-effective for users; protective of consumer information; and able to alleviate the problem of unwanted robocalls to reassigned numbers in a timely manner. Further, once the database is established, the FCC should regularly monitor its operations and ensure that all participants--the telephone service providers and the callers accessing the database--are complying with the relevant rules and regulations.

Respectfully submitted,

COMMISSIONER KAREN CHARLES PETERSON

By: /s/ Sandra E. Merrick

Sandra E. Merrick, General Counsel

Massachusetts Department of Telecommunications and Cable

1000 Washington Street, Suite 820

Boston, MA 02118-6500

Phone (617) 305-3580

Fax (617) 988-8270

sandra.e.merrick@mass.gov

1. *See* *In re Advanced Methods to Target & Eliminate Unlawful Robocalls*, CG Docket No. 17-59, *Second Notice of Inquiry*, ¶ 5 (citing North American Numbering Plan Administrator Number Resource Utilization/Forecast Reports (average of aggregate numbers for the time period January 1, 2013 through December 31, 2016)). [↑](#footnote-ref-1)
2. *See id.*  [↑](#footnote-ref-2)
3. Numbering Resource Utilization Forecast Database for Massachusetts (Derived from confidential filing) (last visited May 3, 2018). [↑](#footnote-ref-3)
4. *In re Numbering Resource Optimization*,CC Docket No. 99-200, *Report & Order & Further Notice of Proposed Rule Making*, ¶29(2000). [↑](#footnote-ref-4)
5. *In re Advanced Methods to Target and Eliminate Unlawful Robocalls*, C.G. Docket 17-59, Proposal to Develop a Reassigned Number Database, Comments by National Consumer Law Center on behalf of its low-income clients and Consumer Action, Consumer Federation of America, Consumers Union, National Association of Consumer Advocates, Public Citizen, Public Knowledge and U.S. PIRG, August 28, 2017, p. 7. [↑](#footnote-ref-5)
6. NPRM,¶ 13. [↑](#footnote-ref-6)
7. *Id.* [↑](#footnote-ref-7)