**Before the**

**Federal Communications Commission**

**Washington, D.C. 20554**

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

**COMMENTS OF WEST INTERACTIVE SERVICES CORPORATION**

**AND**

**WEST TELECOM SERVICES, LLC**

West Interactive Services Corporation and West Telecom Services, LLC (collectively, “West”) respectfully submit these comments in response to the Commission’s *Second Further Notice of Proposed Rulemaking*[[1]](#footnote-1)in the above-referenced proceeding. West is a wholly-owned subsidiary of West Corporation, a leading technology enablement company connecting people and businesses around the world.

West operating units include, among others, both a regulated common carrier, and a company whose services promote timely delivery of important notifications on behalf of schools; power company public utilities; and, hospitals, pharmacies, and other health care companies. As such, from the perspectives of both “callers”[[2]](#footnote-2) and telephone service providers that would provide information about telephone number re-assignments for use by “callers,” West can evaluate the benefits of the Commission’s proposed establishment of a reassigned numbers database[[3]](#footnote-3) that would provide information about disconnected and reassigned telephone numbers.

As a general matter, West supports the Commission’s efforts to minimize unwanted and misaddressed calls to consumers. At this time, however, it may be premature for the Commission to adopt its proposal to establish a new re-assigned numbers database.

As a “caller,” West thinks it is important to have a definitive, reliable source for use in verifying that a given number has not been re-assigned. West, however, already subscribes to a number of different commercial services to ensure that its call rosters are up-to-date. As a carrier, West also regularly contributes information to such existing databases as the number portability database.

Before establishing a new database, the Commission should first consider the database solutions already available in the marketplace.[[4]](#footnote-4) From both its perspectives, West has serious concerns about the costs and administrative burdens establishment of a new re-assigned-numbers database could entail. It may be preferable to utilize existing services, perhaps with a few modifications, to address the calling concerns raised in this docket, particularly in light of the actions the Commission takes in the remand proceeding.

As Commissioner O’Reilly pointed out in his Separate Statement issued when he voted in favor of adoption of the *FNPRM*, the remand in *ACA International, et al. v. FCC* [[5]](#footnote-5) presents the Commission with the opportunity to evaluate marketplace developments since the Commission’s previous decision in this docket, and to consider the definitions of such important concepts as to the nature of the responsibility and potential liability of callers for calls that are unwanted or misdirected. Until the Commission addresses these critical issues, it should defer consideration of the specific database rules proposed in the *FNPRM*. At that time, the Commission will be able more accurately to evaluate the relative costs and benefits that would result from adoption of the proposed rules in the context of the then-applicable regulatory environment and the solutions already available in the marketplace. If necessary, the Commission can then also solicit additional comments to inform its decision as to whether the Commission should implement its database proposals.

Respectfully submitted,

WEST INTERACTIVE SERVICES

CORPORATION

WEST TELECOM SERVICES, LLC

By: /s/ Janette K. Nelson

Janette K. Nelson

Vice President & Deputy General Counsel

West Corporation

11808 Miracle Hills Drive

Omaha, NE 68154

JKNelson@west.com

Phone: 402-716-2506

*Its Counsel*

Robert W. McCausland

VP, Regulatory and Government Affairs

West Telecom Services, LLC

3200 W. Pleasant Run Road

Suite 300

Lancaster, TX 75146-1086

[RWMcCausland@west.com](file:///\\PHL1NAS2\Worldox093$\Docs\78043\00004\rwmccausland@west.com)

Phone: 469-727-1640

Fax: 866-432-3936

Cell/Text: 469-644-4954

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1. *Advanced Methods to Target and Eliminate Unlawful Robocalls*, Second Further Notice of Proposed Rulemaking, FCC 17-59, CG Docket No. 17-59 (rel. Mar. 23, 2018 ) (“*Second FNPRM*”). [↑](#footnote-ref-1)
2. In this context, and as used herein, the term “caller” should comprise both a potential direct caller itself and an entity consulting the database on behalf of a potential direct caller in order to determine whether a number is assigned and may be included in a list of potential end-user called parties (although a number so flagged may nonetheless be subject to “Do Not Call” restrictions). [↑](#footnote-ref-2)
3. *See FNPRM* at 1, *¶* 1 (proposing that one or more databases be available “to provide callers with the comprehensive and timely information they need to discover potential number reassignments before making a call”). [↑](#footnote-ref-3)
4. Currently, solutions to identify disconnected numbers and help callers determine whether a number has been reassigned may be available from such firms as Transaction Network Services, iconectiv, Syniverse, and Neustar. [↑](#footnote-ref-4)
5. No. 15-1211 (D.C. Cir. Mar. 16, 2018) (“*ACA International*”). [↑](#footnote-ref-5)