Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

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

COMMENTS OF SPRINT CORPORATION

Sprint Corporation ("Sprint") submits these Comments in response to the FCC's Notice of Proposed Rulemaking and Notice of Inquiry in CG Docket No. 17-59. Sprint and other carriers have worked with the Federal Communications Commission ("FCC" or "Commission") to reduce the intrusions into daily life caused by unwanted and often illegal robocalls. Sprint applauds the Federal Communications Commission ("FCC" or "Commission") and Chairman Pai for taking on these issues directly.

I. Introduction

Robocalls are a detested scourge of modern life. At best, they are a nuisance; at worst, they are fraudulent scams. Combatting robocalls has been difficult for carriers as they face technological obstacles, regulatory uncertainty, and varying customer preferences. The Telephone Consumer Protection Act[1] and the Do Not Call List have been largely effective at eliminating unwanted robocalls by law-abiding businesses, but the problem persists because of illegal operations that openly flout the law. Sprint applauds the Commission's active stance in ending unwanted robocalls, first by convening the Robocalling Strike Force last year and,

[1] 47 U.S.C. § 227.

second, by issuing the Notice of Proposed Rulemaking in this docket.

Sprint was an active participant in the FCC's Robocalling Strike Force over the past year and is hopeful that the actions taken in that forum, combined with the FCC's proposed actions in this proceeding, will allow carriers the flexibility they need to develop and implement tools that allow customers to exercise their individual preferences as to the types of calls they receive. The Commission has taken the right approach with this Notice of Proposed Rulemaking to provide authorization for carriers to block illegal calls but without making it mandatory. This regulatory light-touch will allow carriers to determine what works and what does not as they work toward the end goal of eradicating robocalls by empowering consumers to choose which calls they receive.

II. What is a Robocall?

The Commission seeks comment on what exactly is an illegal robocall. Sprint posits that the answer to that question is not as easy as it seems. Unlike spam prevention in e-mail, the content of a call cannot be determined before the call rings through to the customer's phone. Accordingly, carriers and other entities seeking to eradicate robocalls must make assumptions based on call routing, authentication standards, and customer complaints, among other sources, to determine if the call that has been placed but not yet completed will meet the definition of an illegal robocall as proposed by the Commission.

Carriers will not always get the right answer and any rule regarding across-the-board blocking must recognize that carriers will, on occasion, make the wrong choice. This should be permissible so long as the choice to block a call or group of calls is made in good faith. Many customers do not care if a blocking screen is over inclusive and blocks the occasional call they wish to receive, possibly assuming that their contact will have another way to reach them. Others

may prefer that there be no chance of a wanted call being blocked. For example, the child of an elderly parent may not always know when or from whom an emergency call may come, and this customer would tolerate the occasional unwanted call to have certainty that the wanted calls will never be blocked. Sprint therefore supports a flexible framework that allows customers to choose the categories of calls they wish to receive and not have their carrier make broad assumptions for them.

Additionally, not all unwanted calls are illegal. The telemarketing rules exempt political, charity, and polling calls from many regulations even though many customers would prefer not to receive calls in these categories.[2] Some charities have valid 501(c)(3) registrations but spend so much of their funds on fundraising as to cause many to question their legitimacy. And the robocalls during election season can interrupt dinner so many times that they frustrate consumers—even when the call comes from a candidate they support. Some robocalls promise a "free cruise" that has so many surcharges, fees, and restrictions as to test the limits of the word "free" but still may not clearly violate the Commission's definition of an illegal call. Nevertheless, many customers do not want to be bothered with any of the call types mentioned above, and the Commission's proposed rules would do little to stop them.

When taking action in this area, the Commission must carefully weigh the costs and benefits of any regulatory requirements. Sprint's position is that taking advantage of the capabilities of modern wireless devices is a more effective—both from a performance perspective and cost perspective—means of battling robocalls than mandating network based

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[2] 16 C.F.R. § 310.6.

solutions. The proposed rules make such blocking voluntary while simultaneously paving the way for each carrier, device maker, mobile OS developer, app developer, or customer to manage their call flow in a way that makes sense to them.

The Commission should take note that voice calling is currently in a state of transition. On the wireline side, VoIP calling continues to supplant TDM calling. Many calls that originate in TDM are converted to VoIP for transport and then back to TDM just before termination. On the wireless side, some carriers have switched to VoLTE, and for others, the switch is coming soon. Sprint applauds the Commission's decision to refrain from costly mandates, particularly to craft solutions for soon-to-be obsolete technologies. Carriers' resources are better focused on transitioning to new technologies and implementing robocalling solutions for those new technologies, rather than allocating resources to fixes on platforms that are soon to be decommissioned.

Sprint is hopeful that the suggested rules in the NPRM will help carriers battle unwanted robocalls, but is not convinced that they will be sufficient on their own to achieve the result desired by the Commission, carriers, and customers. Sprint is actively engaged in other ways to defeat unwanted robocallers. Sprint has partnered with Cequint to enhance its Premium Caller ID product that allows Sprint customers to subscribe to an optional, paid service that empowers Sprint customers to receive information about the type of caller that is attempting to reach them and to set up preferences to send those calls to voicemail or to block them entirely, category by category.

Sprint also recognizes that third-parties have created effective robocall prevention apps and encourages the Commission to enact policies that allow for this marketplace to further develop rather than imposing an onerous one-size-fits-all requirement that would have the effect

of stifling such innovation.

III. Do Not Originate Blocking May Be A Partial Solution

Sprint supports the Commission's attempts to allow providers to block unassigned numbers, but Sprint is concerned that such measures will not be completely effective at combating robocalls. The first category of calls identified by the Commission—invalid numbers—does lend itself to relatively easy processes to block such calls. But Sprint's experience does not show this category to be a large problem at this time.

Anecdotal reports suggest that most recent robocalls originate from a spoofed number that is local to the recipient. For example, a subscriber in Virginia with the phone number 703-887-XXXX will receive robocalls from other numbers within that exchange. Sprint does not know whether those originating numbers are in fact unassigned or rather are just spoofed numbers of actual customers with numbers in that NPA-NXX. It is easy for a robocaller to rotate the spoofed number among valid numbers within an NPA-NXX, so even if a customer became aware that his or her number was being used to originate robocalls, the robocaller may have already moved on to a different number. And unlike large customers with inbound only 8YY numbers, blocking outgoing calls for individuals whose phone number is being spoofed is not the solution. Industry does not currently have a system whereby it shares information about which numbers within its assigned ranges are assigned or unassigned in sufficient real time to make such a system useful. And because of the problems identified above, Sprint doubts that the creation of such a system would be worth the resources that would be better used in other methods of thwarting robocalls.

It is likely that only a limited set of numbers with inherently obvious meanings will ever be of any use to robocallers beyond choosing a number at random. To this end, blocking certain

obvious numbers (like the IRS example) and other non-terminable numbers on request of their owners and blocking certain obvious large blocks such as x11 area codes, can provide substantial gain. However, blocking additional categories of numbers, such as unassigned blocks or individual unassigned numbers, is less likely to be effective as the robocalling spoofers will choose to use randomly selected numbers, which may or may not be allocated for use. Therefore to apply blocking "on all unused numbers" would likely result in little gain to the consumer. More likely at this point the robocallers would resort to the use of spoofing legitimate names and numbers, thereby bypassing industry's efforts to block unassigned and invalid numbers.

The Commission's action to allow a subscriber of the originating number to block outgoing calls that spoof that number is well intentioned but may be difficult to implement in practice. The industry collaborated to block the IRS-spoofed numbers as a test case, but there are currently no automated systems in place to expand the scale of such projects industry-wide or to accommodate much larger numbers of customers requesting blocking. One can envision that many companies that have numbers dedicated to inbound calling would request blocking of spoofed outbound calling as a preventative measure, even if there was no fraud being done on those lines at the time. For the IRS trial, carriers exchanged information though ad hoc communications, but for this proposal to be implemented, someone must create a system to allow the addition—and equally important—the deletion of numbers from the blocked list and distribute that information to carriers in real time.

IV. Framework for Evaluating the Effectiveness of Robocalling Mitigation Proposals

The eventual aim of any work to mitigate robocalling and the use of spoofed caller IDs to perform miscreant acts must be to reduce the incentive to do this to such a point that the issue becomes insignificant, both as to its burden on carriers as well as the nuisance to individual

customers.

To this end, a number of tools have been created commercially and by public standards bodies that can assist with such mitigation. These tools include the SHAKEN/STIR. In order to determine how each of these tools can be best applied, the full characteristics of each need to be considered:

- What reduction in spoofing will this tool allow?
- How easy is it for the robocallers to continue to place unwanted calls while avoiding the traps placed by any particular tool?
- What is the cost to the consumer and legitimate network operators to deploy the tool?
- What are the other downsides of deployment of the tool, such as prevention of delivery of legitimate calls that are wanted by the recipient?

Sprint is concerned that many of the tools that have been generated have not been well tested against these criteria, or at least their proponents have not always been willing to proffer evidence that would support their role in the overall strategy required to minimize spoofed robocalling.

Overall, a more fruitful approach to the robocalling problem is to determine how much mitigation is required to reduce the spoofed robocalling problem to insignificant levels and to examine how all available tools can be assembled to enable such mitigation, rather than examining the merits of each individually and trying to determine how the Commission's rules should be adjusted to enable or even require the use of each on its own. The ability of the bad actors to avoid the impacts of each tool, both alone and in concert with others, must be weighed against the cost to the industry and ultimately to the consumer of their implementation.

Sprint appreciates the Commission's actions here to empower carriers to block calls proactively and to assess the impact of such action on achieving the ultimate goal—preventing unwanted robocalls. Simultaneously, carriers will continue to work with other industry participants to refine the tools that have begun to emerge that put consumers in the driver's seat of deciding what types of calls they want and should be allowed to ring their home phone or their mobile device.

Respectfully submitted,

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