

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

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

---

**COMMENTS OF AT&T**

---

Amanda E. Potter  
Gary L. Phillips  
David Lawson  
AT&T SERVICES, INC.  
1120 20th Street, NW  
Washington, DC 20036

*Its Attorneys*

July 20, 2018

**TABLE OF CONTENTS**

TABLE OF CONTENTS..... i

DISCUSSION ..... 2

I. AT&T OFFERS A VARIETY OF TOOLS TO CUSTOMERS TO COMBAT ILLEGAL AND UNWANTED CALLS ..... 2

II. AT&T IS, AND WILL CONTINUE TO BE, AN INDUSTRY LEADER AND COLLABORATOR TO STOP ILLEGAL AND UNWANTED ROBOCALLS..... 5

    A. AT&T Has Committed To Begin Implementation of SHAKEN/STIR in Early 2019. ... 5

    B. The Industry Traceback Process Has Been a Tremendous Success..... 6

    C. AT&T Is Working with Call Originators To Develop Industry Best Practices and Improve the Accuracy of Call Blocking and Labeling Services..... 7

III. AT&T IS BLOCKING CERTAIN ILLEGAL CALLS IN ITS NETWORK, BUT PROVIDERS NEED MORE FLEXIBILITY TO ENABLE MORE EFFECTIVE CALL BLOCKING..... 9

    A. The *2017 Call Blocking Order* Has Enabled AT&T To Block More Than *Five Million* Illegal Calls from Reaching Its Wireless Customers. .... 9

    B. AT&T Has Blocked More Than *Four Billion* Illegal Calls on Its Wholesale Network. 10

    C. Recent Robocall Trends Demonstrate the Need for a Safe Harbor To Provide Greater Flexibility To Block Calls..... 12

CONCLUSION..... 15

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

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

**COMMENTS OF AT&T**

AT&T Services, Inc.<sup>1</sup> hereby submits the following comments in response to the public notice issued by the Consumer and Governmental Affairs Bureau, seeking input for a staff report on robocall-related issues to be prepared in consultation with the Bureau of Consumer Protection of the Federal Trade Commission (“FTC”).<sup>2</sup> AT&T welcomes this opportunity and applauds the steadfastness of Commission and Bureau staff, as well as the FTC, in the fight against illegal and unwanted robocalls. As described in greater detail below, AT&T is an industry leader in this fight. AT&T offers a number of tools to its customers designed to reduce the number of illegal and unwanted calls they receive, and AT&T has committed to be among the first providers in the industry to implement the caller ID authentication framework known as SHAKEN/STIR. AT&T also is actively engaged in blocking illegal calls, including the categories of calls authorized for provider-initiated blocking in the *2017 Call Blocking Order*.<sup>3</sup> In addition, beginning in late 2016, AT&T instituted a new process to monitor its network on a near continuous basis for suspicious traffic patterns and, as appropriate, block illegal robocalls traversing its wholesale network where permitted by contract. AT&T believes that its illegal robocall blocking

---

<sup>1</sup> AT&T Services, Inc. is filing these comments on behalf of AT&T Mobility and its wireline operating affiliates (collectively, “AT&T” or the “Company”).

<sup>2</sup> Public Notice, FCC, *Consumer and Governmental Affairs Bureau Seeks Input for Report on Robocalling*, CG Docket No. 17-59, DA 18-638 (rel. June 20, 2018) (“*Public Notice*”).

<sup>3</sup> *See Advanced Methods To Target and Eliminate Unlawful Robocalls*, Report and Order and Further Notice of Proposed Rulemaking, 32 FCC Rcd 9706 (2017) (“*2017 Call Blocking Order*” or “*Order*”).

programs, and the robust detection and investigative techniques it established prior to launching them, set the Company apart in the industry and give it a unique ability to offer insight regarding robocall trends in the marketplace. AT&T is pleased to share its observations and experience in these comments, as well as to offer recommendations for additional steps the Commission can and should take in the war against illegal and unwanted robocalls, chief among them being the adoption of a call blocking safe harbor. As AT&T has previously explained and details further herein, such a safe harbor is needed to enable providers like AT&T to more effectively target illegal robocalls traversing their networks.

## DISCUSSION

### I. AT&T OFFERS A VARIETY OF TOOLS TO CUSTOMERS TO COMBAT ILLEGAL AND UNWANTED CALLS

Recognizing that AT&T customers need more than one tool in their toolbox to combat illegal and unwanted robocalls,<sup>4</sup> AT&T offers multiple call blocking options across its platforms. Customers of AT&T's post-paid mobile wireless, interconnected VoIP, and legacy telephone services all have access to such consumer tools, many of which are available at no charge to the customer. While AT&T will continue to innovate in this area, and improve on existing consumer tools, below is a summary of AT&T's current offerings.

***AT&T Call Protect.*** In December 2016, AT&T launched AT&T Call Protect for post-paid mobile wireless customers.<sup>5</sup> AT&T Call Protect is an opt-in service, available at no additional charge, that automatically blocks fraud calls and labels calls from numbers identified with other suspect or potentially unwanted sources, including telemarketer, suspected spam, and

---

<sup>4</sup> AT&T Blog Team, *We Need a Whole Toolbox To Stop Robocalls*, AT&T Global Public Policy Blog (Mar. 22, 2018, 11:36 AM), <https://www.attpublicpolicy.com/consumers/we-need-a-whole-toolbox-to-stop-robocalls/>.

<sup>5</sup> See Press Release, AT&T, *AT&T Unveils Call Protect To Help Customers Manage Unwanted Calls* (Dec. 20, 2016), [http://about.att.com/story/att\\_call\\_protect.html](http://about.att.com/story/att_call_protect.html).

other categories of calls. The service works across AT&T's nationwide wireless network, on any eligible iOS or Android smartphone,<sup>6</sup> whenever the subscriber is located in an HD Voice coverage area.<sup>7</sup> AT&T also offers the AT&T Call Protect companion application, which allows AT&T Call Protect subscribers to access additional features of the AT&T Call Protect service, but is not required to activate the service.<sup>8</sup> As of June 28, 2018, AT&T has blocked more than 223 million fraud calls, and labeled more than 274 million spam calls, through AT&T Call Protect.<sup>9</sup> During the month of January 2018, AT&T blocked more than 18 million calls and labeled more than 22 million spam calls through AT&T Call Protect.

AT&T Mobility customers with eligible iOS and Android devices also have the option to subscribe to AT&T Call Protect *Plus* for a charge of \$3.99 per month.<sup>10</sup> AT&T Call Protect Plus offers a number of additional features, including enhanced caller ID and reverse number lookup, among others, as well as all of the benefits of the traditional AT&T Call Protect service.<sup>11</sup> AT&T Call Protect Plus users also have the option to identify entire categories of calls (e.g., political or survey calls) to block or send to voicemail (or accept) through the custom call blocking feature.<sup>12</sup>

---

<sup>6</sup> Phones must be HD Voice-enabled to be eligible. Eligible smartphones include iPhone 6 or above running iOS v9.3+ and AT&T HD Voice-enabled Android smartphone.

<sup>7</sup> See <https://www.att.com/esupport/article.html#!/wireless/KM1137805>.

<sup>8</sup> See <https://www.att.com/esupport/article.html#!/wireless/KM1147710>.

<sup>9</sup> Calls blocked through AT&T Call Protect are distinct from calls blocked through AT&T Call Protect Plus and Digital Phone Call Protect, discussed below, as well as AT&T's other blocking programs, discussed, *infra*, Section III.

<sup>10</sup> See <https://www.att.com/esupport/article.html#!/wireless/KM1252905>. For Android users, AT&T Call Protect Plus is offered together with the protection of the AT&T Mobile Security service.

<sup>11</sup> See <https://www.att.com/esupport/article.html#!/wireless/KM1252905>.

<sup>12</sup> See *id.*

**Digital Phone Call Protect.** In November 2017, AT&T expanded AT&T Call Protect to customers of AT&T Home Phone,<sup>13</sup> AT&T's consumer VoIP service.<sup>14</sup> Much like AT&T Call Protect for mobile wireless customers, Digital Phone Call Protect is an opt-in service, offered at no additional charge to customers, that automatically blocks calls from known scammers, and sends customers a caller ID alert if a call is suspected spam.<sup>15</sup> Since launching Digital Phone Call Protect less than one year ago, AT&T has blocked more than 6 million incoming calls and labeled more than 4.3 million calls for Digital Phone Call Protect subscribers.<sup>16</sup> During the month of January 2018, AT&T blocked more than 315,000 calls and provided approximately 265,000 spam alert warnings through Digital Phone Call Protect.

**AT&T Smart Call Blocker Phones.** AT&T also has entered into a relationship with an equipment manufacturer and distributor to offer consumers an AT&T-branded phone with call blocking capabilities. AT&T Smart Call Blocker phones work with any landline voice service and on all wireline networks, including legacy TDM-based telephone service, for any consumer with caller ID.<sup>17</sup> AT&T Smart Call Blocker phones range in price from \$59.95 to \$119.95 and are manufactured by VTech. The phone screens incoming calls from telephone numbers not included on the consumer's list of trusted telephone numbers. Any such caller receives an intercept message and is required either to press a key or to record his/her name before the call will be put through to the consumer. This intermediate step, among other benefits, has the effect

---

<sup>13</sup> In addition to the features of Digital Phone Call Protect, described herein, AT&T Home Phone customers may block up to 100 telephone numbers, simply by pressing \*61 after receiving the unwanted incoming call. Customers also can set up and edit a call block list online through their myAT&T account.

<sup>14</sup> See Press Release, AT&T, Protecting You From Unwanted Calls (Nov. 29, 2017), [http://about.att.com/newsroom/unwanted\\_calls.html](http://about.att.com/newsroom/unwanted_calls.html).

<sup>15</sup> See <https://www.att.com/esupport/article.html#!/u-verse-voice/KM1235421>.

<sup>16</sup> Calls blocked through Digital Phone Call Protect are distinct from calls blocked through AT&T's other blocking programs, discussed, *infra*, Section III, as well as AT&T Call Protect and AT&T Call Protect Plus.

<sup>17</sup> See <https://telephones.att.com/telephones/cordless-telephones/smart-call-blocker>.

of diverting callers who are not live persons. Such a screen helps to eliminate certain illegal robocalls using an artificial or pre-recorded voice.

***Consumer Information and Education.*** In addition to the call blocking tools described above, AT&T's website provides customers with easy access to consumer information and tips about identifying and avoiding unwanted calls. More specifically, AT&T's Cyber Aware Resources page, available at <http://about.att.com/sites/cybersecurity/resources/contact>, includes alerts on recently identified scams and provides links to other important consumer resources, as well as instructions for reporting various types of fraud (including telephone call fraud). AT&T also issues consumer alerts when fraud events are identified.<sup>18</sup>

## **II. AT&T IS, AND WILL CONTINUE TO BE, AN INDUSTRY LEADER AND COLLABORATOR TO STOP ILLEGAL AND UNWANTED ROBOCALLS**

AT&T is proud to have answered the call to lead the Commission's 2016 Robocall Task Force, chaired by CEO Randall Stephenson. Today, the Company continues to work closely with industry partners, consumer advocates, law enforcement, and call originators to address the serious problem of illegal and unwanted robocalls.

### **A. AT&T Has Committed To Begin Implementation of SHAKEN/STIR in Early 2019.**

Currently, AT&T is working with others in the industry to implement caller ID authentication standards to mitigate illegal spoofing—i.e., SHAKEN/STIR.<sup>19</sup> AT&T actively participated in the NANC Call Authentication Trust Anchor Working Group to develop the proposal to establish a governance authority for the administration of authentication certificates.

---

<sup>18</sup> See, e.g., <http://about.att.com/sites/cybersecurity/ar/wangiri>.

<sup>19</sup> SHAKEN/STIR is the technical framework/model to be used for caller ID authentication and refers to the Secure Handling of Asserted information using toKENS (SHAKEN) and the Secure Telephone Identity Revisited (STIR) framework. See *Public Notice* at 1 n.4.

Per the proposal for an industry-led implementation process, to which the Commission agreed,<sup>20</sup> the governance authority will be in place no later than May 2019.<sup>21</sup> The industry recently named ATIS as the governance authority, and AT&T will actively participate as a member of the governance authority board.

The industry also committed that those service providers with the necessary technical capabilities would work contemporaneously to enable call signing within the next year.<sup>22</sup> AT&T has committed to this timeline.<sup>23</sup> AT&T completed lab testing with Comcast and is scheduled to begin field testing in the fourth quarter of this year.<sup>24</sup> AT&T plans to begin authenticating calls in 2019, even before the governance authority is in place.<sup>25</sup>

#### **B. The Industry Traceback Process Has Been a Tremendous Success.**

AT&T is proud to have worked cooperatively with industry partners to develop and implement the industry traceback process, overseen by USTelecom, which maps a call's path through multiple networks to identify the call originator's location. Traceback has been an important investigative tool for law enforcement, giving investigators information they need to identify and shut down illegal robocall and scam operations, including operations located overseas.<sup>26</sup> AT&T and its industry partners meet weekly to discuss current issues and solutions

---

<sup>20</sup> See Press Release, FCC, Chairman Pai Welcomes Call Authentication Recommendations from the North American Numbering Council (May 14, 2018), <https://docs.fcc.gov/public/attachments/DOC-350690A1.pdf>.

<sup>21</sup> See NANC Call Authentication Trust Anchor Working Group, *Report on Selection of Governance Authority and Timely Deployment of SHAKEN/STIR* (May 3, 2018), <https://www.fcc.gov/about-fcc/advisory-committees/north-american-numbering-council/general/nanc-correspondence> (“NANC CATA Report”).

<sup>22</sup> See *id.* at 17.

<sup>23</sup> See Letter from Linda S. Vandeloop, AT&T, to Marlene H. Dortch, FCC, CG Docket No. 17-59 (filed May 16, 2018).

<sup>24</sup> See *id.*

<sup>25</sup> See *id.*

<sup>26</sup> See, e.g., *Man Accused of 97 Million Robocalls Fights \$120 Million Fine*, BLOOMBERG (Apr. 18, 2018), <http://fortune.com/2018/04/18/stop-robocalls-adrian-abramovich/>; Mohamed Thaver, *Thane call centre scam 'mastermind' traced to Dubai*, THE INDIAN EXPRESS (Apr. 6, 2017), <https://indianexpress.com/article/india/thane-call-centre-scam-mastermind-traced-to-dubai-4601453/>.

and, in fact, have initiated numerous tracebacks themselves in an effort to build cases against the bad actors perpetrating fraud upon consumers. AT&T thus believes the existing industry traceback process is working very well. AT&T would like to continue to use the traceback process to quickly trace large-scale illegal robocall schemes to the source and refer cases to the Commission, FTC, FBI, and other federal law enforcement agencies. Indeed, AT&T desires and supports more vigorous enforcement activity. In AT&T's view, developing cases at the industry level, coupled with enforcement action, may be the most productive way to reduce illegal robocalls at the source, as tracebacks often point to a limited number of bad actors as the perpetrators of a large number of illegal robocalls. Thus, while AT&T welcomes the Bureau's invitation for proposals to improve the process, AT&T urges caution to ensure that any potential improvements that a commenter or the Bureau may identify do not introduce unnecessary complications or red tape that could discourage continued robust industry participation.

**C. AT&T Is Working with Call Originators To Develop Industry Best Practices and Improve the Accuracy of Call Blocking and Labeling Services.**

In parallel with AT&T's work to expand consumer tools and protect its customers from illegal and unwanted robocalls, AT&T has established an ongoing and constructive dialogue with call originators to understand and, where valid, address concerns they have raised. AT&T is not unsympathetic to the complaints of legitimate, law abiding call originators, who have seen call answer rates decline as consumers increasingly use call blocking/labeling tools and/or simply no longer answer calls from unfamiliar telephone numbers.

Ultimately, AT&T believes the best solution for carriers, call originators, and consumers, alike, involves the elimination (as much as possible) of illegal robocall schemes, through a range of measures that include caller ID authentication, call blocking, call labeling, consumer education, law enforcement, and potentially other as-yet undeveloped solutions. Only then will

consumers truly feel comfortable answering their telephones when the telephone number or caller ID displays an unfamiliar number or name. But even then, the new reality is that services like AT&T Call Protect and AT&T Call Protect Plus, among others, provide consumers with useful information about the calls they receive. Further, many consumers often do not want to take calls from businesses or telemarketers—even when those businesses or telemarketers have a pre-existing relationship with the consumer and/or a legal right to call the consumer’s telephone number for marketing or other purposes. Thus, to the extent the complaint of call originators is that their businesses are suffering because consumers are making informed decisions to decline calls, AT&T is unmoved. Consumers who have subscribed to AT&T Call Protect and AT&T Call Protect Plus value the information those services provide, in many cases because such services enable them to avoid calls from businesses and telemarketers.

However, AT&T welcomes the efforts of call originators to provide feedback and identify problems that make call blocking/labeling services—including its own—more accurate. For example, AT&T has worked, and continues to work, cooperatively with the Professional Association for Customer Engagement (“PACE”) to develop best practices for call originators to avoid call mislabeling or, worse, the inadvertent blocking of a legitimate call. PACE has been a thoughtful and receptive partner with AT&T in this work. AT&T also provided contact information for PACE’s members so that they would know whom to contact to raise mislabeling or blocking concerns. On its own website, AT&T provides a link that allows call originators to contact AT&T about such concerns.

### **III. AT&T IS BLOCKING CERTAIN ILLEGAL CALLS IN ITS NETWORK, BUT PROVIDERS NEED MORE FLEXIBILITY TO ENABLE MORE EFFECTIVE CALL BLOCKING**

#### **A. The 2017 Call Blocking Order Has Enabled AT&T To Block More Than Five Million Illegal Calls from Reaching Its Wireless Customers.**

AT&T strongly supported the Commission’s adoption of the *2017 Call Blocking Order*. More specifically, AT&T welcomed the Commission’s decision to address patently fraudulent traffic on their networks by enabling providers to block calls that illegally spoof certain categories of telephone numbers, including invalid numbers and telephone numbers that are subject to a do-not-originate request.<sup>27</sup> Leveraging the intelligence AT&T gathers as part of the illegal call blocking program on its wholesale network, discussed below, AT&T quickly identified telephone numbers that fell within the scope of the *2017 Call Blocking Order* and began placing blocks on those numbers in AT&T’s wireless network when the *Order* took effect. Since that time, AT&T has blocked a total of 74 telephone numbers, preventing more than five million illegal calls from reaching its post-paid wireless customer base, including fixed and mobile wireless customers.<sup>28</sup> Such statistics—not even six months after the new blocking rules took effect, and as AT&T continues to ramp up its efforts in response to the *2017 Call Blocking Order*—demonstrate the wisdom and necessity of the Commission’s decision to enable broader provider-initiated call blocking.

---

<sup>27</sup> See Reply Comments of AT&T, CG Docket No. 17-59, at 3 (filed July 31, 2017) (“AT&T 2017 NPRM/NOI Reply Comments”) (supporting the call blocking proposals adopted in the *2017 Call Blocking Order*).

<sup>28</sup> The five million calls blocked on AT&T’s wireless network in connection with the *2017 Call Blocking Order* are distinct from calls blocked through the illegal robocall blocking program on AT&T’s wholesale IP platform, discussed *infra*, Section III.B and calls blocked through the Call Protect suite of services, discussed, *supra*, Section I.

**B. AT&T Has Blocked More Than *Four Billion* Illegal Calls on Its Wholesale Network.**

As AT&T has detailed for the Commission in previous submissions and communications, AT&T launched a program in late 2016 to identify and block illegal traffic on its wholesale network from customers of its IP-based call termination service.<sup>29</sup> Consistent with the terms of the contractual arrangements with those wholesale customers, AT&T blocks calls from telephone numbers, following a thorough investigation, that it determines constitute prohibited traffic on its network.<sup>30</sup> Since its inception, the program has prevented more than *four billion* illegal calls from ever reaching their intended destination.<sup>31</sup>

Prior to its launch, AT&T invested considerable time and expense to develop the program. The first step was to establish new methods to more closely monitor traffic patterns on the network.<sup>32</sup> Leveraging the expertise of AT&T's fraud investigators and network analytics teams, AT&T developed a suspected robocall report that is a vital tool for the detection of illegal robocalls on its network.<sup>33</sup> In particular, the report, which is updated on a virtually continuous basis, allows AT&T to compile information on telephone numbers used to place calls with suspicious characteristics. Aggregate call data that AT&T compiles in the report include, but are not limited to: average call duration data, call completion rates, CNAM values, call volumes and

---

<sup>29</sup> See Letter from Vonda Long-Dillard, AT&T, to Marlene H. Dortch, FCC, CG Docket No. 17-59, at 1 (filed Sept. 22, 2017) ("AT&T Sept. 22, 2017 Ex Parte"); AT&T 2017 NPRM/NOI Reply Comments at 3.

<sup>30</sup> See AT&T Sept. 22, 2017 Ex Parte at 1.

<sup>31</sup> In the month of January 2018, AT&T blocked more than 168.5 million illegal robocalls originating from 947 telephone lines. The four billion calls blocked through the wholesale call blocking program are distinct from calls blocked in AT&T's wireless network following implementation of the *2017 Call Blocking Order*, discussed, *supra*, Section III.A, as well as calls blocked through the Call Protect suite of services, discussed, *supra*, Section I.

<sup>32</sup> AT&T monitors its network for fraud as a general matter, and has for decades, through its global fraud team. Where AT&T suspects that a customer has fallen victim to, or perpetrated, fraud on its network, AT&T takes appropriate action, including, but not limited to, notifying the customer of abnormal activity and/or taking other protective measures (when the customer is a victim) and terminating the customer relationship (when the customer is the fraudster).

<sup>33</sup> See Letter from Linda S. Vandeloop, AT&T, to Marlene H. Dortch, FCC, CG Docket No. 17-59, Exh. at 4 (filed Mar. 6, 2018) ("AT&T March 6, 2018 Ex Parte").

the timeframes in which calls are placed, complaint data (including Commission and FTC complaint data), sequential dialing patterns, and call volumes to telephone numbers on the FTC's Do Not Call list.<sup>34</sup>

Relying on the data included in the suspected robocall report, AT&T's team of experienced fraud investigators get to work, identifying telephone numbers used to place calls with telltale indicia of an illegal robocall scheme. Each and every telephone number that AT&T blocks on its wholesale network is the subject of a careful investigation before such block is placed.<sup>35</sup> Each investigation involves multiple steps, often including: gathering additional call detail information, online research, and outreach to service providers to authenticate the fraud team's independent investigation.<sup>36</sup> Critically, every suspect telephone number is dialed by a fraud investigator before a block is placed.<sup>37</sup>

AT&T has established procedures designed to ensure no legitimate traffic is impacted by its illegal robocall blocking program. For example, AT&T regularly refreshes its list of blocked telephone numbers to ensure that stale blocks are removed in a timely manner, thus avoiding adverse impacts on consumers. AT&T also has a process in place to suppress alerts on legitimate numbers and traffic aggregation lines with traffic patterns that behave similarly to robocall campaigns.<sup>38</sup> Moreover, AT&T's fraud experts, among others, work closely with other providers on illegal robocall and call blocking matters, keeping the lines of communication open so that AT&T can inform other carriers of suspect traffic it sees, and so that AT&T is in the best position to learn of any issues involving legitimate traffic as soon as they may arise. AT&T also

---

<sup>34</sup> See *id.* Exh. at 2.  
<sup>35</sup> See *id.*, Exh. at 4.  
<sup>36</sup> See *id.*  
<sup>37</sup> See *id.*  
<sup>38</sup> See *id.*

has a process in place to receive and address complaints from providers regarding impacts on legitimate traffic. While AT&T has received virtually no complaints of such impacts in the nearly two years following the launch of the illegal robocall blocking initiative, AT&T has taken steps to ensure it is prepared to immediately investigate any such complaints as soon as it is made aware of any.<sup>39</sup>

### **C. Recent Robocall Trends Demonstrate the Need for a Safe Harbor To Provide Greater Flexibility To Block Calls.**

AT&T believes that it is in a unique position to observe robocall trends, given the illegal robocall blocking initiative on its wholesale platform and its early implementation of the *2017 Call Blocking Order*. Indeed, the data ingested into the suspected robocall report, combined with the decades of experience AT&T has developed through its global fraud organization, provide AT&T with more insight regarding traffic patterns on its network than ever before.

The primary observation AT&T has taken away from this work is that, while the *2017 Call Blocking Order* and AT&T's illegal robocall blocking program have made modest inroads into the hostile territory of illegal robocallers, there is so much more that AT&T, and the industry more broadly, could be doing to target and block illegal robocalls, but for the Commission's historical prohibition of provider-initiated call blocking. For example, notwithstanding the fact that AT&T has blocked more than five million calls on its wireless network pursuant to the *2017 Call Blocking Order*, many of the telephone numbers listed on AT&T's suspected robocall report typically are valid numbers and thus fall outside the limited scope of provider-initiated blocking authorized by the *Order*.<sup>40</sup> While AT&T is authorized to block such calls on its wholesale

---

<sup>39</sup> AT&T's protocols in such circumstances include the temporary removal of any block that is the subject of a complaint, pending completion of AT&T's independent follow-up investigation. *See id.*, Exh. at 5.

<sup>40</sup> For reference, AT&T is submitting a limited subset of the information included on its report of suspected robocall traffic, attached hereto as Exhibit A. Because the suspected robocall report is highly proprietary, AT&T has limited its submission to the top 45 telephone numbers (measured by call volume) identified on

platform, AT&T does not presently have authorization to block illegal robocalls elsewhere in its network outside the context of the *2017 Call Blocking Order*.<sup>41</sup> Thus, notwithstanding the reasonable belief that these telephone numbers are being used to originate illegal traffic (and the investigative data to back it up), millions, if not billions, of illegal robocalls continue to traverse AT&T's network unimpeded *every single day*.<sup>42</sup>

In AT&T's view, such a situation is unacceptable. AT&T recognizes that call blocking is no "silver bullet."<sup>43</sup> AT&T also concedes the tension between the Commission's call blocking rules and precedent and its desire to more effectively combat illegal robocalls.<sup>44</sup> Nevertheless, AT&T believes that provider-initiated call blocking has an important role to play for providers that conduct blocking programs in a reasonable manner, and AT&T strongly desires the ability to leverage its tools and experience to engage in more aggressive call blocking for the benefit of AT&T customers.

Accordingly, AT&T urges the Commission to propose and adopt a safe harbor to insulate voice service providers that engage in call blocking from liability in the event the provider inadvertently blocks a legitimate call. More specifically, as AT&T has previously advocated, the Commission should adopt a rule consistent with the following:

---

the report during a period of time on July 10, 2018 and has provided only the telephone numbers and call volumes for a particular time period.

<sup>41</sup> While AT&T has considered various potential ways to expand the scope of its call blocking programs to other areas of its network (and will continue to do so), AT&T has yet to identify an acceptable solution.

<sup>42</sup> To explain it another way, AT&T's network, like all communications networks, include necessary redundancies. As a result, there are multiple entry points into AT&T's network that illegal robocallers can exploit to target consumers, notwithstanding AT&T's efforts to block in one or more areas of its network. To truly be effective, AT&T needs the ability to block illegal robocalls *across* its network.

<sup>43</sup> Robocall Strike Force, Robocall Strike Force Report, at 2 (Oct. 26, 2016); *see also* AT&T 2017 NPRM/NOI Reply Comments at 3.

<sup>44</sup> As AT&T previously explained, AT&T supports the Commission's efforts to ensure high-quality rural call completion and believes that existing Commission rules regarding inappropriate call blocking practices can and should remain in place, but at the same time seeks greater flexibility for providers to target and block illegal robocalls. *See* AT&T 2017 NPRM/NOI Reply Comments at 6-7.

A voice service provider that inadvertently blocks a legitimate call shall not be deemed to have violated the Communications Act of 1934, as amended, or the Commission's rules, if, at the time the provider blocked the call, the provider:

- (a) performed network blocking of calls in connection with an event that the carrier had a good-faith reason to believe was an illegal robocall event;
- (b) had procedures in place for network blocking that were reasonably likely to confirm that calls blocked were limited to illegal robocalls;
- (c) followed those procedures; and
- (d) had a process in place to unblock legitimate calls in the event of any inadvertent blocking of such calls.<sup>45</sup>

Such a safe harbor would strike the appropriate balance between the Commission's competing interests in ensuring high call completion rates and combating the scourge of illegal robocalls. In particular, AT&T's proposed safe harbor would ensure that the only providers that could claim protection under the safe harbor would be those that cooperate with and participate in industry-led efforts designed to address the issue of illegal robocalls *and* adopt and implement policies and procedures detailing their practices to identify and address such robocalls, including procedures to cease blocking of any calls upon learning they are legitimate calls.<sup>46</sup>

---

<sup>45</sup> See AT&T March 6, 2018 Ex Parte at 1.

<sup>46</sup> See AT&T 2017 NPRM/NOI Reply Comments at 7.

## CONCLUSION

AT&T applauds the efforts of the Commission and Bureau to address the serious issue of illegal and unwanted robocalls and, specifically, to seek stakeholder input for the upcoming robocall report. AT&T looks forward to continuing to work closely with the Commission to develop solutions, including on AT&T's proposal for the adoption of a call blocking safe harbor.

Respectfully submitted,

/s/ Amanda E. Potter

Amanda E. Potter

Gary L. Phillips

David Lawson

AT&T SERVICES, INC.

1120 20th Street, NW

Washington, DC 20036

*Its Attorneys*

July 20, 2018

## EXHIBIT A

Suspect Robocaller	# of Calls
<u>3474914832</u>	668,089
<u>3862040839</u>	542,379
<u>3862040846</u>	328,010
<u>2188247134</u>	322,192
<u>2312167094</u>	288,774
<u>7275101921</u>	286,471
<u>2064801557</u>	188,286
<u>3202075847</u>	177,285
<u>2392322559</u>	167,562
<u>3476907034</u>	165,106
<u>7142020244</u>	160,811
<u>5613321934</u>	153,605
<u>5617472599</u>	143,600
<u>6156256442</u>	135,691
<u>9492012415</u>	134,588
<u>2107143841</u>	103,718
<u>3233162429</u>	102,683
<u>6063280354</u>	102,308
<u>8506241614</u>	100,985
<u>6783359292</u>	100,735
<u>5172526783</u>	100,404
<u>8598383315</u>	99,980
<u>4077322416</u>	99,765
<u>9546248712</u>	99,300
<u>7193994277</u>	98,038
<u>7733659096</u>	95,987
<u>5733406511</u>	86,610
<u>5123573767</u>	86,277
<u>2033189276</u>	85,805
<u>9033290270</u>	83,651
<u>5169860605</u>	83,532
<u>4437873870</u>	80,694
<u>6814950492</u>	80,179
<u>8017580322</u>	79,369
<u>4256891422</u>	78,049
<u>8148527039</u>	77,962
<u>3462001239</u>	76,576
<u>5594010750</u>	73,878

<b>Suspect Robocaller</b>	<b># of Calls</b>
<u>3125787022</u>	71,438
<u>6155412112</u>	71,315
<u>7135568949</u>	71,043
<u>7147075124</u>	70,661
<u>3216034283</u>	69,863
<u>6128155870</u>	69,423
<u>3347318365</u>	68,926