July 24, 2019

***Via ECFS***

Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

Re: Third Further Notice of Proposed Rulemaking, Advanced Methods to Target and Eliminate Unlawful Robocalls, CG Docket No. 17-59, WC Docket No. 17-97, 84 Fed. Reg. 29,478 (June 24, 2019)

Dear Ms. Dortch:

PRA Group, Inc. (PRA) appreciates the opportunity to comment on the Federal Communications Commission’s (Commission) Third Further Notice of Proposed Rulemaking (Proposed Rule).[[1]](#footnote-1) In the Proposed Rule, the Commission seeks to encourage the implementation of the SHAKEN/STIR Caller ID authentication framework (SHAKEN/STIR framework) by proposing a safe harbor for companies that provide telephone service (Voice Service Providers) that choose to block calls that fail to be authenticated.[[2]](#footnote-2) The Commission also proposes to create a mechanism to provide information to consumers about the “effectiveness” of Voice Service Providers’ solutions to the problems posed by illegal automated calls, also commonly referred to as “illegal robocalls,” among other provisions in the Proposed Rule.[[3]](#footnote-3)

1. **Summary of Comment**

PRA wholeheartedly supports the Commission’s goal to eliminate illegal automated calls. Implementation of the SHAKEN/STIR framework is an important step toward achieving this goal by allowing Voice Service Providers the ability to better distinguish between fraudulent and scam calls that should be blocked from calls from legitimate businesses attempting to contact their existing customers, such as PRA.

However, not all Voice Service Providers have adopted the SHAKEN/STIR framework, and, as such, a legitimate business’ call may be signed by the originating provider, but not recognized as signed after the call passes through a provider that has not yet adopted SHAKEN/STIR. Therefore, to ensure that legitimate calls are not inadvertently blocked, PRA requests that until all providers have adopted the SHAKEN/STIR framework, the Commission should not permit providers to block “unsigned” calls.

Once the SHAKEN/STIR framework is universally adopted, a call’s status as authenticated or not authenticated will provide a strong indication of whether the caller is seeking to defraud the call recipient by masking the caller’s identity, and there will be no need for a Voice Service Provider to make the subjective determination that a call is “wanted” or “unwanted.” The Commission should therefore encourage Voice Service Providers to only block calls based on information about the call provided by the SHAKEN/STIR framework, and not based on a determination that the call is “unwanted.”

PRA also supports the Commission’s “Critical Calls List” proposal, requiring Voice Service Providers that block calls to maintain a list of numbers that the provider may not block, and we urge the Commission to consistently audit the number of calls that Voice Service Providers have blocked erroneously, including the number of calls erroneously blocked under the SHAKEN/STIR framework. This is critical to ensure that calls necessary to prevent consumer harm, including those to existing financial services customers, alerts to parents of students, and medical related calls reach the recipient in a timely and uninterrupted fashion.

1. **The Commission Should Prohibit the Blocking of Unsigned Calls Until All Voice Service Providers Adopt the SHAKEN/STIR Caller ID Authentication Framework**

Because not all Voice Service Providers have adopted the SHAKEN/STIR framework, calls that have been signed by the originating Provider may be routed through a provider that has not adopted SHAKEN/STIR. Once the call passes through the non-adopting provider, it will not be recognized as signed by the terminating provider. If providers are permitted to block unsigned calls prior to universal adoption of SHAKEN/STIR, then calls that are signed could be blocked, depriving legitimate businesses, such as PRA, the ability to communicate with their customers.

We therefore urge the Commission not to permit Voice Service Providers to block “unsigned” calls until all providers have adopted the SHAKEN/STIR framework.

1. **Upon Universal Adoption of the SHAKEN/STIR Call Authentication Framework, the Commission Should Encourage Voice Service Providers Not to Block Calls Outside of that Framework**

Once all Voice Service Providers have fully implemented the SHAKEN/STIR framework, the determination to block a call should be made solely on whether a call is authenticated or not authenticated under that framework. Calls should not be blocked on the provider’s view that the call is “unwanted,” as a provider’s authority to block allegedly “unwanted” calls could result in the erroneous blocking of lawful calls from legitimate businesses to their customers.

1. **The Commission Should Require Voice Service Providers to Notify Callers of Blocked Calls and Remove Erroneous Blocks Expeditiously in Order to Receive Protection Under any Safe Harbor**

The Commission has proposed a safe harbor for Voice Service Providers that choose to block calls that fail to be authenticated under the SHAKEN/STIR framework.[[4]](#footnote-4) It is important to note, however, that, despite the best efforts of Voice Service Providers, legitimate calls from businesses, such as PRA, will be erroneously blocked.[[5]](#footnote-5) When attempts to reach existing customers to work out voluntary payment plans are interrupted, debt collection companies are typically forced to pursue alternative means to collect, such as litigation. We, therefore, strongly agree with the Commission’s suggestion that Voice Service Providers establish procedures to enable callers to prevent erroneous blocks.[[6]](#footnote-6)

We also urge the Commission to require, as a condition of any safe harbor, that Voice Service Providers implement a mechanism to notify callers and call recipients of blocked calls, and remove erroneous blocks within 24 hours. It is also important that callers have a central point of contact from the Voice Service Providers to report the erroneous block.

1. **The Commission Should Require that Providers Maintain A “Critical Calls List”**

The Commission has proposed requiring Voice Service Providers that block calls to maintain a “Critical Calls List” of numbers that the Provider may not block.[[7]](#footnote-7)In order to better minimize the likelihood of the blocking of legitimate calls from businesses, we agree that the Commission should mandate the creation of a centralized list of critical numbers from which outbound calls may not be blocked, including those from financial services companies, such as PRA, to its existing customers.

This Critical Call List is a far superior mechanism for allowing rightful calls and preventing illegal calls. As the Commission has referenced previously, we believe that the current mechanisms being used by Voice Services Providers’ to identify and block illegal calls match the profile of legal debt collection calls, such as short call duration, a high frequency of calls from out pulsed numbers, and low contact rates.

1. **The Commission Should Measure the Number of Erroneously Blocked Calls**

The Commission has proposed to create a mechanism to provide information to consumers about the “effectiveness” of Voice Service Providers’ solutions to the problem of illegal automated calls.[[8]](#footnote-8) If the Commission creates this mechanism, the Commission should measure the number of calls that Voice Service Providers have blocked erroneously, including the number of calls erroneously blocked under the SHAKEN/STIR framework. Assessing the number of erroneously blocked calls would assist the Commission in determining whether the SHAKEN/STIR framework accurately distinguishes between calls that are legitimate and those that are not.

**Conclusion**

As previously stated above, PRA Group wholeheartedly supports the Commission’s goal to eliminate illegal automated calls and, as such, we support the implementation of the SHAKEN/STIR framework as a means to achieve this goal. To ensure that calls placed by legitimate businesses are not blocked because a Voice Service Provider has not adopted the SHAKEN/STIR framework, we urge the Commission not to permit Providers to block “unsigned” calls until all Providers have adopted the SHAKEN/STIR framework. We also support the establishment of this framework to prevent illegal texting, to prevent the criminals currently placing illegal calls from switching to placing illegal texts.

Once the SHAKEN/STIR framework is fully implemented, there will be no need for a Voice Service Provider to make the subjective determination that a call is “wanted” or “unwanted.” We urge the Commission to encourage Providers to block calls based on information about the call provided by the SHAKEN/STIR framework, and not based on a determination that the call is unwanted. We also urge the Commission to create a “Critical Calls List.” We also recommend that the Commission, in assessing the effectiveness of Voice Service Providers’ solutions to the problem of illegal automated calls, measure the number of calls that Voice Service Providers have blocked erroneously.

1. Third Further Notice of Proposed Rulemaking, Advanced Methods to Target and Eliminate Unlawful Robocalls, CG Docket No. 17-59, WC Docket No. 17-97, 84 Fed. Reg. 29,478 (June 24, 2019) [hereinafter, *Proposed Rule*]. [↑](#footnote-ref-1)
2. *Id.* ¶¶ 51-58. “SHAKEN/STIR” stands for \_\_\_\_\_\_\_. [↑](#footnote-ref-2)
3. *Id.* ¶ 83. The Commission also proposes to require that Voice Service Providers implement SHAKEN/STIR if Providers do not meet Chairman Pai’s deadline of the end of 2019 to implement the call authentication framework. *Id.* ¶¶ 71-74. [↑](#footnote-ref-3)
4. *Proposed Rule* ¶¶ 51-58. [↑](#footnote-ref-4)
5. *Id.* ¶ 70 (seeking comment on “other ways to protect callers from erroneous blocking”). [↑](#footnote-ref-5)
6. *See* *id.* ¶ 52 (“[H]ow should we address false positives? Are there specific notification or other procedures that are most appropriate for use to enable callers to correct such false positives quickly?”). [↑](#footnote-ref-6)
7. *Proposed Rule* ¶ 63. [↑](#footnote-ref-7)
8. *Proposed Rule* ¶ 83. [↑](#footnote-ref-8)