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

COMMENTS OF NUMERACLE, INC.

Numeracle, Inc. ("Numeracle") hereby files comments in response to the Federal Communications Commission's ("FCC" or "Commission") *Public Notice*.[1] Numeracle supports the Commission's efforts to eliminate illegal and unwanted robocalls, but cautions that current industry practices are threatening the viability of voice communications by inaccurately labeling and blocking legal and wanted calls, which is further exacerbated by customer frustration in general that their wanted calls are drowned out by illegal calls. The Commission's actions must focus on facilitating the continued use of voice communications by making sure that efforts to combat illegal and unwanted calls do not present barriers to the continued delivery of legal calls and that the costs of administering authentication systems to do just that do not make costs on carriers and their customers so high as to threaten the voice channel's continued existence as a valued means of contact between businesses and their customers.

I.   Introduction

Numeracle serves as a trusted intermediary between legal call originators, carriers, and analytics companies to ensure that wanted, legal calls are labeled accurately and are not erroneously blocked. Numeracle provides information for legal callers as to how their calls are

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[1] *Advanced Methods to Target and Eliminate Unlawful Robocalls,* Public Notice, CG Docket No. 17-59, released June 20, 2018

labeled and treated by analytics companies and carriers. Numeracle also provides information to those analytics companies and carriers about originating numbers and calling practices by legal call originators so that the analytics companies can fine tune their algorithms and treat these calls accurately. Finally, Numeracle provides legal call originators guidance as to best practices to increase the likelihood that their calls are treated properly even by analytics companies that do not directly work with Numeracle. Numeracle strives for accurate open communication so that calls customers want to receive go through, such as their prescription reminders from the local pharmacy or information that their special order is ready for pick up at the home improvement store. By helping to ensure that wanted and legal calls such as these go through, analytics companies and carriers can take tougher action against illegal callers while minimizing or eliminating side effects to legal callers, such as inaccurate labeling and blocking. From our founder's participation as a member of the FCC Robocall Strike Force and through partnerships with the carriers, analytics engines and developers of call blocking and labeling apps, Numeracle has worked to understand the issues surrounding the false positives of blocking and labeling.

Based on our unique perspective and insights into this industry problem, our recommendation is for the FCC to encourage and support a streamlined process agnostic to carrier or analytics engine for call originators to identify who they are, the numbers they use and the intent of the calls. The FCC should encourage and support a process for identification and classification of trusted entities requiring transparency and accountability in a secured and encrypted structure managed by the entity to minimize confidential and competitive information from being shared across carriers, analytics engines and app providers.

II.   **Legal and Wanted Calls are Mislabeled as Fraud or Scam**

Legal call originators are currently in need of visibility and control into how their outbound

calls have been affected by increased efforts to protect consumers from the effects of illegal robocalls. It is Numeracle's belief that the unintended consequences of inaccurate call blocking and labeling efforts harm not only the companies making the calls, but also their customers and other entities receiving the calls, which provide essential information and communication. For example, if a prescription reminder from the pharmacy is inaccurately labeled "Potential Scam," or even worse blocked, the intended recipient of that call may fail to receive important medical care.

Numeracle has developed a single point of discovery for call originators within the complex calling ecosystem to discover where, along a call's path to a consumer, a number is being blocked or mislabeled as fraud, potential fraud, scam, or potential scam. Numeracle's unique insights as the trusted middleman have illuminated the need to create a consortium of industry stakeholders to share the findings so collectively we can improve the accuracy of our data across stakeholders and continue toward engaging in mutually beneficial strategies to protect the consumer while reducing negative consequences to the originators of legal calls and their consumers.

Based on Numeracle client data analysis, the following represents conclusions gathered from call originators in the cable, telecommunications, radio satellite, home improvement retail and business process operations industries:

1. **Inconsistent Risk Rating:** Risk ratings from various app and analytic engines can vary from High, Medium, Low, Not rated for a single number. Numeracle does not view the inconsistent rating as an issue for call originators. Inconsistent ratings demonstrate the varied ways in which algorithms can be performed for the consumers of the appropriate app, analytic engine or carrier. This creates a competitive market providing options for consumers. When the rating is high across all analytics, Numeracle was the first to discover this was due to illegal spoofing of an assigned number. The legal call originator was not delivering the messages accurately resulting in high risk. This

supports the continued need for various methods of identifying illegal calling behaviors in combating illegal callers.

2. **Volume Viewed as Negative:** Regardless as to whether a client had 5000 numbers or 50 numbers, the numbers with the highest call traffic were viewed as high or medium risk (SCAM/FRAUD/SPAM). Numeracle can correct this for our clients with the cooperation of the app providers, analytics engines and carriers working with Numeracle. While volume of calls should be a factor in algorithms, restrictions, requirements or disclosures of volume should not be applied to legal call originators. Every industry in the United States utilizes an autodialer or prerecorded message to communicate with their customer, patient, member, citizen. There is no evidence to the benefit of consumers by inflicting call volume requirements for a number.

3. **Every Numeracle Client Mislabeled on Call Category and SCAM/FRAUD:** Numeracle has been evaluating call originator data in the ecosystem since July of 2017. Consistently, the average outbound call volume impact for a legal call originator is 75% of their call traffic. While carriers, app providers and analytics engines make accurate claims of low percentage of numbers labeled SCAM/SPAM/FRAUD, they have no means to know the impact to the call originator which is based on volume of calls for a given number. Even if the app, analytics engine or carrier can provide traffic volume for a given number, they only see a portion of the total traffic. Numeracle has visibility into the call volume across the ecosystem providing the full scope of impact to the call originator. For those carriers, analytics engines and app providers working with Numeracle, a baseline of truth is established to ensure calls are not mislabeled. Numeracle will continue to grow this baseline which drives the wedge between legal and illegal callers, ultimately improving the algorithms across the ecosystem.

4. **Spoofing of Legal Call Originators Identified:** For Numeracle clients with

recognizable brands, illegal spoofing of their assigned numbers is a reality. This issue not only harms consumers but negatively impacts the brand. Until Numeracle, call originators would be made aware of impersonation scams only through word of mouth from customers, long after the fraud has impacted consumers. Numeracle encourages analytics engines and carriers to continue to work with Numeracle on protecting the brand and consumers against this fraud through integrating with our monitoring services. Numeracle can broadcast to carriers, analytics engines and app providers pertinent information regarding illegal use of assigned numbers through our baseline of truth with the call originators. It is not in the best interest of consumers to develop algorithms attempting to identify owners of numbers when this process to identify trusted entity numbers exists and continues to grow through Numeracle.

III.   **Numeracle Supports "Know Your Customer" But with Caution on Implementation**

Another challenge facing enterprise call originators is the complex process of cleaning up databases of mislabeled numbers with the analytics companies and the carriers so that when these numbers are being used to originate calls, the analytics companies and the carriers are in the possession of verified information from the call originators covering who they say they are, whether they are following federal and state compliance, and they have the required consent to deliver the legal calls. The process has become known as "Know Your Customer." Numeracle serves an essential role in implementing best practices for "Know Your Customer" because Numeracle is the only entity vetting claims from callers that their calls are being inappropriately targeted. Without a company like Numeracle, carriers and analytics companies have little information about how to process a blacklist removal request other than the word of the potentially illegal caller claiming its calls are being targeted. Numeracle's process for certifying and validating

the legality of outbound calls prevents fraudulent callers from reaching out to any of the analytics engines or carriers and say they are anyone they want and asking for any numbers they want to be un-blacklisted.

Numeracle attended the USTelecom Scoring Workshop on May 4, 2018, in which a request for a repository of known callers was positioned before the group. Numeracle responded by offering NumeraList™, a service, to legal call originators. NumeraList™ is a vehicle for call originators (businesses, schools, hospitals, government entities, financial institutions, etc.) making legal calls to register the numbers they use to reach customers, patients, members or citizens. As part of our registration services, we distribute the call originator status, including business name and identity details, to service providers, analytics companies and the creators of call blocking and labeling apps. Through our proprietary evaluation, Numeracle identifies trusted legal call originators to help prevent false positives.

Based on the information provided from call originators relating to calling campaigns and details about the call originator for evaluation by Numeracle, we concluded that this information should not be maintained in a single repository by a single enterprise. Instead, Numeracle recommends and leads efforts to evaluate an encrypted and distributed approach to storing this information while at the same time making it accessible to carriers, analytics engines and call blocking and labeling providers. This can be achieved at a lower cost than a centralized administrator and eliminates a monopoly and potential for price gouging entities that need to use the data for their analytics. Numeracle supports a decentralized and encrypted data structure to protect the privacy and competitive information of call originators, carriers, and vendors who support the origination and termination of legal autodialed or high volume calls.

IV. **Support for Deploying Secure Caller ID as a Vehicle to Reduce Illegal Robocalling**

From Numeracle's perspective and that of its customers, SHAKEN will help create a path

for legal calls to be delivered to consumers without inaccurate labeling or blocking. This new path uses certificates and attestation concept for telephone numbers to verify the identity of the caller and caller ID information transmitted to other downstream carriers.

Current challenges that need to be addressed by the industry are that when a carrier or other entity issues a certificate on behalf of an enterprise, we ensure with absolute certainty that the organization is a valid legal entity who is in compliance with laws and best calling practices. If industry presents a secure caller ID solution to consumers and what we're collectively asserting is a 'valid company' turns out to be a fraudulent imposter, callers and carriers lose all value in the secure caller ID process. While determination of legal vs. illegal caller will not be achieved through SHAKEN, nor does Numeracle encourage it to be, a mechanism should be identified and supported by carriers and FCC with the inclusion of call originator input. Numeracle understands this is what the industry is currently defining through the establishment of the Governance Authority and Policy Administrators to implement SHAKEN.

The voice of legal enterprise callers must be a part of the certification process for SHAKEN. There is an opportunity to get this right and bring life back to the voice channel. Voice communications are endangered because illegal robocalls and inaccurately labeled calls are making call recipients ignore all communications, even those that they want to receive because they don't trust the information about who is calling them.

V.   Conclusion

Based on Numeracle's achievements in bringing visibility and control to legal call originators in the new ecosystem of call blocking and labeling, we have seen improvements in call practices resulting in improved consumer experience as evidenced through contact rate analysis. The unintended consequences of the blocking and labeling have the potential to become unintended benefits to consumers and call originators by establishing trust in the voice

channel. This will only be achieved through continued cooperation of carriers, analytics engines and app providers with the legal call originators. Numeracle will continue to drive this collaboration through our involvement in the IP-NNI Task Force, PACE Communication Protection Coalition, USTA Analytics Engine Workshops and dedication to our vision of bringing trust back to communication channels.

Numeracle recommends the FCC support the establishment of the Governance Authority and Policy Administrators of SHAKEN, acknowledge evidence of false positives and encourage collaborative efforts of carriers, analytics engines and app providers to utilize a single secured baseline of truth to streamline the process for legal call originators, and support and require a secure and encrypted environment for call originators to identify themselves.

Respectfully submitted,

NUMERACLE

Rebekah Johnson
Founder & CEO
Numeracle
P.O. Box 2523
Arlington, VA 22202