



August 13, 2018

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Ex Parte Presentation, Rules and Regulations Implementing the Telephone Consumer Protection Act (TCPA) of 1991, CG Docket No. 02-278; Advanced Methods to Target and Eliminate Unlawful Robocalls, CG Docket 17-59; Interpretation of the TCPA in Light of the DC Circuit's ACA International Decision, CG Docket No. 18-152.*

Dear Ms. Dortch,

On August 9, 2018, Krista Witanowski and Matthew Gerst of CTIA met with Zenji Nakazawa from the Office of Chairman Ajit Pai, Erin McGrath from the Office of Commissioner Michael O’Rielly, and Umair Javed from the Office of Commissioner Jessica Rosenworcel to discuss CTIA’s comments in the above-captioned proceedings. Consistent with CTIA’s prior comments¹, CTIA expressed appreciation and support for the Commission’s leadership and efforts to combat illegal and unwanted robocalls while ensuring that consumers receive wanted calls from good faith callers.

CTIA highlighted that the record in these proceedings demonstrates near unanimity among calling parties, service providers and consumers that the Commission should expeditiously resolve the TCPA issues remanded by the D.C. Circuit. CTIA noted that the Commission has an opportunity to fix the unworkable TCPA rules that expose good faith callers to unnecessary risk of litigation and inhibit consumers from receiving wanted calls.

¹ See Comments of CTIA, CG Docket 17-59 and CG Docket No. 18-52 (filed June 28, 2018); Comments of CTIA, CG Docket No. 18-152 (filed June 13, 2018); Comments of CTIA, CG Docket No. 17-59 (filed June 7, 2018) CTIA *Second FNPRM* Comments); Comments of CTIA, CG Docket No. 17-59 (filed Aug. 28, 2017) (CTIA *Second NOI* Comments); Reply Comments of CTIA, CG Docket No. 17-59 (filed Sept. 26, 2017).



In the context of calls to reassigned telephone numbers, CTIA urged the Commission to resolve the foundational issues with the TCPA rules before taking action to develop a new database of reassigned telephone numbers. CTIA explained that establishment of a mandatory database of reassigned numbers would present significant financial, operational and technical challenges. Further, CTIA noted that a new database of reassigned telephone numbers would have no impact on mitigating illegal, unwanted robocalls from bad actors.

Given the desire for near-term relief and challenges with a new database, CTIA also encouraged the Commission to adopt a safe harbor for good faith callers that reasonably rely upon qualifying market-based TCPA solutions, rather than waiting years to implement a new database. Establishing a safe harbor will create incentives for providers to enhance existing market-based solutions and for callers to utilize such solutions.

Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed in ECFS and provided to the Commission participants. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

/s/ Krista Witanowski

Krista L. Witanowski
AVP, Regulatory Affairs

cc:

Umair Javed
Erin McGrath
Zenji Nakazawa