

**Before the
Federal Communications Commission
Washington, D.C. 20554**

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

Submission for the Record of Joe Shields

In reference to the robocall problem and Commission attempts to put a stop to the tsunami of illegal robocalls (any call that is automatically dialed), I submit for the record what has recently occurred to my spouse.

My spouse received an illegal robocall on her cell phone on 07/03/17 with CallerID of 2819093512. The robocall was another illegal “free” cruise robocall using Avatar type recording snippets. My spouse received another illegal “free” cruise robocall on 07/11/17 with CallerID of 2819093505. The very next day she received another illegal “free” cruise robocall with CallerID 2819093498. I determined that the caller ID numbers 281-909 were assigned to Onvoy LLC.

A properly executed subpoena was served on Onvoy LLC on 07/13/17. In response to the subpoena my wife received three illegal “free” cruise robocalls the very next day all within 5 minutes of each other. The three illegal “free” cruise robocalls were received at 9:30, 9:32 and 9:35 a.m. on 07/14/17. The CallerID was 2819093528. Clearly, Onvoy had notified its client Xcast Labs Inc. who had notified its client about the subpoena who then retaliated against my wife with the three rapid succession illegal robocalls.

I received a response to a 2nd properly executed subpoena served on Xcast Labs Inc. which provided nothing but bogus information on their client who was making the illegal “free” cruise robocall. According to the subpoena response their client was:

Echo 144 Dialer
14863 Chimbote Ct
Gainesville, VA 2015

Contact- Mark Escueta
703-652-0916
mark@247talk.net

There is no such company in Gainsville, Virginia. The address is that of an old folk’s home. The domain 247talk.net redirects to the domain netcastjobs.com which is not an active web site. Calls to the 703-652-0916 number are not answered and a voice mail reached doesn’t identify who the number belongs to. I’m certain a subpoena on this number will lead nowhere as well. The only clue to any entity was the 2467talk.net domain from the email address which leads to a Philippines company by the name of Echo System Corporation. They are of course unreachable.

As can be seen from the above, a do not call request is impossible to make with the entity making the illegal “free” cruise robocalls. And even federal subpoenas are responded to with repeated phone calls meant to intentionally harass the one seeking to identify the caller.

The Commissions efforts to put a stop to illegal robocalls are and will be thwarted when American carriers (VOIP resellers like Onvoy and Xcast Labs) can enable foreign entities to make illegal robocalls to citizens in America. Without holding the carriers like Onvoy and Xcast Labs liable for enabling foreign entities to make illegal robocalls into our country the tsunami of illegal robocalls will continue.

The recipient of the illegal robocalls can hold carriers like Onvoy and Xcast Labs liable for the illegal robocalls:

“In case any common carrier shall do, or cause or permit to be done, any act, matter, or thing in this chapter prohibited or declared to be unlawful, or shall omit to do any act, matter, or thing in this chapter required to be done, such common carrier shall be liable to the person or persons injured thereby for the full amount of damages sustained in consequence of any such violation of the provisions of this chapter, together with a reasonable counsel or attorney's fee, to be fixed by the court in every case of recovery, which attorney's fee shall be taxed and collected as part of the costs in the case 47 USC §206. - Carriers' liability for damages

The Commission must include the carriers that enable foreign entities to make illegal robocalls in their enforcement actions. Otherwise, all attempts to put a stop to the illegal robocall tsunami will fail.

I would suggest to the Commission that carriers that sell VOIP services to foreigners be required to verify the contact information their foreign clients provide them. Further, carriers should not be permitted to provide services to any foreign entity unless that entity provides an American based registered agent and posts a bond that will provide restitution to any American that is subject to that foreign entities illegal behavior. Lastly, the Commission should require that the carrier terminate service when an American based registered agent cannot be provided as part of the foreign clients contact information.

Common carriers have been profiting from illegal robocalls long enough. This profiting explains why carriers have been dragging their feet for years on the issue of illegal robocalls. It is time to put a stop to this “look the other way” when a common carrier knows that its services are used by foreigners for illegal purposes. How is a block list on illegal robocalls to work when carriers like Onvoy and Xcastlabs profit from

enabling foreign entities to make illegal robocalls? They will not block profiting from their clients illegal robocalls.

Accountability is sorely needed and VOIP resellers like Onvoy and Xcast Labs must be held accountable for the tsunami of illegal robocalls to be stopped. It is these VOIP providers that are responsible for many of the illegal robocalls. Make them accountable for looking the other way and the Commission can put a stop to large number of the illegal robocalls consumers in America are subjected to.

Respectfully submitted,

_____/s/____

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