

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

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

COMMENTS OF TRACFONE WIRELESS, INC.

TracFone Wireless, Inc., by its attorneys, hereby comments in response to the Commission’s Second Notice of Inquiry issued in the above-captioned proceeding.¹ In the Second NOI, the Commission seeks comment on a narrow, but important, aspect of the problem of unwanted robocalls. Specifically, it asks about situations where consumers have consented to receive robocalls from calling entities, but where the telephone number associated with the consumer’s consent subsequently is lost by the party giving consent and/or assigned to someone else. To address this problem, the Commission has suggested the development of a means for robocallers to verify whether a consented to number has been reassigned.

TracFone agrees that carriers should report disconnected or otherwise available numbers so that entities making consented-to robocalls have a means for determining whether the telephone numbers associated with their consumer consents remain associated with those consumers.² However, it is important that this reporting obligation be imposed only on those providers who control the number assignment process.

TracFone is the nation’s largest mobile virtual network operator (“MVNO”). It provides wireless telecommunications service to consumers by purchasing service in bulk at wholesale

¹ Advanced Methods to Target and Eliminate Unlawful Robocalls (*Second Notice of Inquiry*), FCC 17-90, released July 13, 2017 (“Second NOI”).

² Second NOI at ¶ 11,

rates from underlying carriers, including, *e.g.*, AT&T, Verizon Wireless and T-Mobile, and reselling those services to consumers. As a MVNO, TracFone has no control of the number assignment process. When it procures a new customer, it notifies an underlying carrier and asks the underlying carrier to assign a telephone number from the carrier's block of available numbers to the consumer. Numbers are assigned individually by underlying carriers upon individual MVNO requests. When TracFone loses a customer or when a customer wishes to obtain a new number, TracFone notifies an underlying carrier that it is relinquishing the number previously assigned to the consumer by that underlying carrier.

The above-described system of having numbers assigned to MVNO customers by underlying network operators is common among MVNOs. Since MVNOs neither assign numbers to consumers nor deactivate numbers, there is no practicable means for MVNOs to participate in a notification process as suggested by the Commission in the Second NOI. Rather, underlying carriers perform the number assignments and deactivations for MVNOs and their consumers on behalf of the MVNOs. Accordingly, any number assignment, reassignment, deactivation or number porting reporting requirements should be imposed on the underlying carriers who perform those functions and who have control of the number assignment process.

Respectfully submitted,

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