

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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

To: The Commission

COMMENTS OF SYNIVERSE TECHNOLOGIES

Syniverse Technologies (“Syniverse”) hereby comments on the Commission’s *Second Notice of Inquiry* (the “*Notice*”) in the above-referenced proceeding.¹ In the *Notice*, the Commission seeks comment on developing a means for callers to verify whether a number has been reassigned prior to initiating a call in order to avoid situations where “the recipient of the reassigned number is subject to unwanted calls” and “the previous holder of the reassigned number is no longer receiving those calls for which she gave consent.”² The *Notice* asks how voice service providers could report information about the reassignment of allocated NANP numbers and the appropriate mechanism to do so, such as to a database established by the Commission.³ As described below, rather than establish a new, Commission-administered database, the Commission should rely on, and seek to foster, existing solutions in the market that provide precisely this information. The Commission also should adopt a safe harbor from

¹ *Advanced Methods to Target and Eliminate Unlawful Robocalls*, Second Notice of Inquiry, CG Docket No. 17-59, FCC 17-90 ¶ 1 (rel. July 13, 2017) (“*Notice*”).

² *Id.* ¶ 1-2.

³ *Id.* ¶ 9-10, 15-16.

liability under the Telephone Consumer Protection Act (“TCPA”) to encourage callers to use such solutions.

I. DATABASE SOLUTIONS TO IDENTIFY REASSIGNED NUMBERS ALREADY EXIST IN THE MARKET

The *Notice* asks whether it would be necessary to “create an entirely new database or ... expand or modify an existing database ... to accommodate reassigned number information,”⁴ among other alternatives.⁵ Given the availability of commercial databases that provide reassigned number information, it is not necessary for the Commission to assume the costs or burdens of creating and administering a new database. Instead, as the *Notice* itself recognizes, there are existing tools that help callers identify reassignments.⁶

Existing commercial databases for identifying reassigned numbers are sufficiently reliable. For example, Syniverse’s Number Verification Service enables callers to verify the customer contact information they have by, among other things, proactively monitoring phone number event changes, such as a number deactivation or reassignment. As a result, Syniverse’s Number Verification Service is an existing tool, available today, that can ensure callers are aware of number reassignments before they make calls.⁷ The Commission should leverage and seek to enhance these existing solutions rather than duplicate them. Relying on marketplace solutions rather than a centralized FCC database will allow companies like Syniverse to compete,

⁴ *Id.* ¶ 30; *see also id.* ¶ 16 (describing alternative for Commission to establish and select an administrator of a central database of reassigned numbers).

⁵ *See id.* ¶¶ 17-19 (listing alternatives for voice service providers to (i) report reassigned number information to robocallers or reassigned number data aggregators; (ii) operate queriable databases; or (iii) make reassigned number data reports publicly available)

⁶ *Id.* ¶¶ 6, 15.

⁷ *See* Syniverse’s Number Verification Service, <https://www.syniverse.com/products-services/types/number-verification>.

innovate, and improve comprehensive TCPA solutions for callers – solutions that, in turn, reduce the number of calls mistakenly made to consumers who do not want them.⁸

II. THE COMMISSION CAN CREATE A STRONG INCENTIVE FOR CALLERS TO USE DATABASE SOLUTIONS BY PROVIDING A TCPA SAFE HARBOR FOR USERS OF SUCH SOLUTIONS

The Commission can further reduce the number of unwanted calls by encouraging callers to use these marketplace solutions. To do so, the Commission should establish a safe harbor from TCPA violations for robocallers who rely on reassigned number database tools, such as Syniverse’s Number Verification Service.⁹ A safe harbor would further incentivize companies to utilize such solutions. This, in turn, will reduce the number of calls inadvertently made to reassigned numbers. In this way, a safe harbor protects both consumers from unwanted calls and good-faith callers seeking to make only calls that consumers want and have consented to receive.

* * *


Syniverse commends the Commission’s efforts to address unwanted calls to consumers. In this regard, Syniverse encourages the Commission to focus on fostering the improvement and use of existing tools in the marketplace, rather than seek to re-invent the wheel.

⁸ In other contexts, the Commission has acknowledged that government solutions should not duplicate efforts being undertaken by private companies. *See, e.g., Universal Service Reform – Mobility Fund*, Report and Order and Further Notice of Proposed Rulemaking, 32 FCC Rcd 2152, 2156 ¶ 14 (2017) (“we should target universal service funding to coverage gaps, not areas already built out by private capital”).

⁹ *See Notice* ¶ 14 (asking whether the Commission should consider a safe harbor from TCPA violations for robocallers who use a comprehensive reassigned number resource).

Respectfully submitted,

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