

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

In the Matter of	)	
	)	
Rules and Policies Regarding Calling	)	CC Docket No. 91-281
Number Identification Service – Caller ID	)	
	)	
Waiver of Federal Communications	)	
Commission Regulations at 47 C.F.R. §	)	
64.1601(b) on Behalf of Jewish Community	)	
Centers	)	

**REPLY COMMENTS OF CENTURYLINK**

CenturyLink<sup>1</sup> files these brief reply comments in response to the Notice of Proposed Rulemaking (“NPRM”) released June 22, 2017 in the above-referenced docket. The NPRM seeks to amend existing Caller ID rules to enable called parties and/or law enforcement to obtain caller ID information in connection with threatening calls that have been blocked by the calling party.<sup>2</sup> The FCC has handled these situations in the past on a case-by-case basis, but citing a disturbing increase in the number of threatening calls received by a variety of institutions,<sup>3</sup> is seeking a more streamlined solution to better protect public safety.<sup>4</sup>

CenturyLink appreciates the FCC’s efforts to promote public safety and generally supports the recommendations made by AT&T and CTIA in this proceeding. In particular, CenturyLink supports permitting providers to disclose caller ID information to law enforcement

---

<sup>1</sup> These comments are filed by and on behalf of CenturyLink, Inc. and its subsidiaries.

<sup>2</sup> Rules and Policies Regarding Calling Number Identification Service – Caller ID; Waiver of Federal Communications Commission Regulations at 47 C.F.R. § 64.1601(b) on Behalf of Jewish Community Centers, CC Docket No. 91-281, Notice of Proposed Rulemaking, FCC 17-76 (rel. Jun. 22, 2017) (“NPRM”) at ¶ 1.

<sup>3</sup> NPRM at ¶ 9.

<sup>4</sup> NPRM at ¶¶ 2-3.

in response to a valid law enforcement request that satisfies the requirements of the Electronic Communications Privacy Act (“ECPA”). CenturyLink agrees with AT&T’s recommendation to explicitly align disclosure of blocked caller ID information with permitted disclosures under the ECPA, specifically Section 2702(c)(4).<sup>5</sup> Without this step, the FCC’s action in this proceeding risks being inconsistent with the ECPA’s requirements and, therefore, potentially inadequate to remedy the public safety issue the FCC seeks to address.<sup>6</sup> As CTIA highlights, “[t]he FCC’s mandate [in the NPRM] would *require* disclosure of caller information that existing federal law does not permit.”<sup>7</sup> Aligning any permitted disclosures authorized through this proceeding with ECPA requirements is essential to enable the FCC to provide meaningful assistance to public safety.

In addition, AT&T and CTIA’s recommendations appropriately place law enforcement – and not providers – in the position of determining whether an emergency situation exists. As CTIA notes, law enforcement is unquestionably better suited to determine whether there is a threat of illegal activity than providers would be.<sup>8</sup> Providers simply do not have the expertise to perform this type of analysis. Placing this responsibility solely on law enforcement will result in more effective evaluations of risk than the NPRM’s proposal, and, in turn, will better serve public safety.

CenturyLink also supports limiting disclosure of any caller ID information to law enforcement. The proposed rule would authorize disclosure of blocked caller ID information not

---

<sup>5</sup> AT&T Comments at 3.

<sup>6</sup> CTIA Comments at 6-7.

<sup>7</sup> CTIA Comments at 7 (explaining how “[t]he proposed regime risks creating uncertainty by putting carriers in the difficult position of being required to do something by FCC rule that is not authorized by [ECPA] Section 2702 or protected by Section 2703”). *Id.*

<sup>8</sup> CTIA Comments at 8.

only to law enforcement, but also to the called party that is the target of the threat of illegal activity.<sup>9</sup> As other parties note, this type of disclosure is inconsistent with past waivers on this issue and presents a risk of illicit behavior if called parties are provided a means to obtain blocked caller ID information.<sup>10</sup> Limiting disclosure to law enforcement removes this risk and strikes the appropriate balance between securing privacy and protecting public safety.

CenturyLink also supports defining what constitutes a valid law enforcement request, as has been done with the Communications Assistance for Law Enforcement Act (“CALEA”), for example, so providers are clear on what meets this standard and the process they are to follow. Providers that disclose blocked caller ID information to law enforcement in response to a valid law enforcement request should be protected from liability.<sup>11</sup>

With these modifications to the NPRM’s proposals, the FCC will enable providers to provide meaningful assistance to law enforcement in response to threatening calls with blocked caller ID information. CenturyLink looks forward to working together with the FCC and law enforcement in this proceeding to help protect public safety.

Respectfully submitted,

**CENTURYLINK**

By: /s/ Jeanne W. Stockman  
Jeanne W. Stockman  
Room 3162  
14111 Capital Boulevard  
Wake Forest, NC 27587  
919-554-7621  
Jeanne.w.stockman@centurylink.com

Its Attorney

September 19, 2017

---

<sup>9</sup> NPRM at ¶ 16 and Appendix A.

<sup>10</sup> See AT&T Comments at 6, CTIA Comments at 9.

<sup>11</sup> See AT&T Comments at 6.