



September 21, 2020

Ex Parte Notice

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

RE: Call Authentication Trust Anchor, WC Docket No. 17-97

Dear Ms. Dortch:

On Friday, September 18, 2020, the undersigned and Brian Ford on behalf of NTCA–The Rural Broadband Association (“NTCA”),¹ met with the following Federal Communications Commission (“Commission”) staff: Daniel Kahn, Associate Bureau Chief, Wireline Competition Bureau (“WCB”), Pamela Arluk, Chief of the WCB’s Competition Policy Division (“CPD”), Matt Collins, Assistant Division Chief, CPD, Kenneth Carlberg, Chief Technologist with the Public Safety and Homeland Security Bureau, as well as John Visclosky, Annick Banoun, CJ Ferraro, Mason Shefa, and Alexander Hobbs with CPD. The parties discussed the Draft Second Report and Order implementing the Traced Act set for consideration by the Commission on September 30, 2020.² Specifically, NTCA proposed two surgical edits intended to ensure that the Commission can take steps in the future to promote widespread use of SHAKEN/STIR call authentication protocols should the need arise and to protect consumers from efforts meant to mitigate unwanted calls.

First, NTCA reiterated that IP interconnection for voice traffic is the principal industry-wide barrier to participation by all providers in the SHAKEN/STIR framework. To be sure, other challenges must be overcome by RLECs specifically as well – on that point, NTCA conveyed its strong support for the implementation deadline for small carriers set forth in the Draft Second Report and Order. The timeframe set forth in the item is appropriate and necessary for these small businesses to absorb within their operating budgets the significant costs of vendor solutions as well as tokens, certificates, and other attendant costs associated with implementation of the SHAKEN/STIR framework.

Yet, even as those challenges are addressed in the near-term, the ubiquitous availability of SHAKEN/STIR call authentication can only be achieved via end-to-end IP voice transmittal of such data, and any inability of providers to interconnect in IP stands in the way of that on a

¹ NTCA represents approximately 850 rural local exchange carriers (“RLECs”). All of NTCA’s members are voice and broadband providers, and many of its members provide wireless, video, and other competitive services to their communities.

² *Call Authentication Trust Anchor*, WC Docket No. 17-97, Draft Second Report and Order (Sep. 9, 2020) (“Draft Second Report and Order”).

nationwide basis. More specifically, going forward, even as the “in-network” costs may be manageable over time for RLECs, IP interconnection will present an entirely different challenge for all providers and is one which time alone will not address. Absent basic “rules of the road” surrounding IP interconnection, and knowing that RLECs committed to protecting their consumers from unwanted calls face a Commission mandate for such arrangements, it is all but certain that the carriers with whom RLECs exchange voice traffic will seek to foist upon RLECs new costs for interconnection and transport previously shared among the parties. Thus, the notion that this issue is “outside the scope” of this proceeding as currently stated in the draft item is misplaced. Rather, interconnection will be increasingly essential and relevant to widespread implementation of call authentication throughout the country.

With that very real concern as background, and with IP interconnection central to SHAKEN/STIR implementation, NTCA noted that even as the Commission may not see the need right now to address this issue in the Draft Second Report and Order, it should remain vigilant with respect to such concerns and not foreclose the need for further consideration down the road should interconnection concerns indeed become barriers to nationwide implementation of SHAKEN/STIR. ***In other words, rather than deeming interconnection questions “out of scope,” the Commission should affirmatively indicate in the item instead that it will monitor going forward whether and to what degree interconnection issues affect the nationwide implementation of call authentication required by the Traced Act and state that it may consider further action with respect to interconnection issues to the extent necessary to ensure that the Traced Act is fully and faithfully implemented.***

NTCA then discussed the voice service provider certification and database provisions of the Draft Second Report and Order.³ Specifically, while expressing support for these provisions as critical to advancing robocall mitigation practices, NTCA stated that the prohibition on intermediate and terminating providers’ acceptance of “voice traffic directly from any voice service provider that does not appear in the database”⁴ should include a “notice and opportunity to cure” provision. Pursuant to this approach, within 15 days following the deadline for providers’ submission of the necessary certifications, intermediate or terminating providers poised to block traffic from voice providers for whom a certification is not found in the database should notify both the Commission and the operators in question of their intent to cease accepting traffic from the providers lacking certification. Providers that neglected to file their certification or those that are the victims of a database error would be so alerted, and should then have the ability to “cure” the defect within the 30-day period as contemplated by the Order.⁵ Consumers that will bear the brunt – through seeing their legitimate calls blocked – of any inadvertent failures to file or database errors will benefit from this limited procedural safeguard intended to enable legitimate providers to cure honest mistakes on their part or “glitches” in the database. Specifically, NTCA proposes that the final Order as released amend proposed Section 64.6305(c) as follows (with proposed edits in redline below).

³ *Id.*, ¶¶ 81-86.

⁴ *Id.*, ¶ 85.

⁵ *Id.* (“Effective 30 days after the deadline for robocall mitigation program certifications set forth in the Bureau Public Notice establishing the robocall mitigation database and portal, intermediate providers and terminating voice service providers are subject to this prohibition.”).

(c) *Intermediate provider and voice service provider obligations.* Beginning **forty five** days after the deadline for certifications filed pursuant to paragraph (b) of this section, intermediate providers and voice service providers shall only accept calls directly from a voice service provider, including a foreign voice service provider that uses North American Numbering Plan resources that pertain to the United States to send voice traffic to residential or business subscribers in the United States, if that voice service provider's filing appears in the Robocall Mitigation Database in accordance with paragraph (b) of this section. **Within 15 days of the deadline for certifications filed pursuant to paragraph (b) of this section, intermediate providers and voice service providers shall provide notice to the Commission, in the Robocall Mitigation Database, and to individual providers, of their intention pursuant to this provision to no longer accept calls due to that provider's filing not appearing in the database.**

This minimally burdensome procedural step would ensure that the important robocall mitigation provisions the Commission has set forth do not inadvertently harm consumers.

Thank you for your attention to this correspondence. Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed via ECFS.

Sincerely,
/s/ Michael Romano
Michael Romano
Senior Vice President–Industry Affairs and
Business Development
NTCA–The Rural Broadband Association

cc: Daniel Kahn
Pamela Arluk
Matt Collins
Kenneth Carlberg
John Visclosky
Annick Banoun
CJ Ferraro
Mason Shefa
Alexander Hobbs