

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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

COMMENTS OF CHARTER COMMUNICATIONS, INC.

Charter Communications, Inc. (“Charter”) welcomes the opportunity¹ to refresh the record regarding advanced methods to target and eliminate illegal robocalls,² and remains committed to helping the Commission combat the scourge of this unlawful practice. We have collaborated with the Commission, other providers, and consumer advocates to identify and implement solutions to this problem, including through participation on the Robocalls Strike Force, North American Numbering Council (“NANC”) working groups, and the Alliance for Telecommunications and Industry Solutions (“ATIS”).

Solving this problem requires empowering consumers to decide what calls they receive. For this reason, we partnered with Nomorobo to provide our customers an innovative technology that they can use to automatically block unlawful calls. We also believe that voice providers play an essential role in the solution. We support the development of objective criteria that providers

¹ *Consumer and Governmental Affairs Bureau Seeks to Refresh the Record on Advanced Methods to Target and Eliminate Unlawful Robocalls*, Public Notice, CG Docket No. 17-59, DA 18-842 (Aug. 10, 2018) (“*Public Notice*”); *see also In re Advanced Methods to Target and Eliminate Unlawful Robocalls*, Notice of Proposed Rulemaking and Notice of Inquiry, 32 FCC Rcd 2306, 2306-08 ¶¶ 1-5 (2017).

² Unsolicited and pre-recorded telemarketing calls, often disguised (or “spoofed”) to appear through Caller ID services as if coming from a legitimate and/or local phone number.

can use to identify—and prevent consumers from receiving—illegal and unwanted calls, and we are actively working with our industry partners to develop tools to help us achieve that goal.³ We support Commission rules that would enable us to block calls highly likely to be illegal or fraudulent based upon the authentication protocols developed by these groups. Charter also supports a more general presumption that call blocking is permissible when based upon objective criteria developed by industry standards-setting bodies. This presumption would enable the industry to address new problems efficiently, without requiring the Commission to keep pace with malfeasors.

I. Charter Supports Enhanced Consumer Control and Offers a Call-Blocking Application to Empower Its Customers to Block Illegal Robocalls.

The Robocall Strike Force, on which Charter participated, recognized that “[c]onsumer choice is critical to effectively managing illegal robocalls.”⁴ Charter agrees. For nearly two years, Charter has empowered its customers to stop illegal robocalls through a partnership with Nomorobo, the provider of a cloud-based call-blocking application.⁵ Nomorobo automatically blocks calls using a list of known unwanted phone numbers, including those on the “Do Not Call

³ We participate on the NANC Call Authentication Trust Anchor (“CATA”) Working Group, aimed at detailing a framework for call authentication, as well as the Secure Telephone Identity Governance Authority Board, a policy and decision-making body of industry representatives.

⁴ Industry Robocall Strike Force Report 10 (2017), <https://www.fcc.gov/file/12311/download> (“*Strike Force Report*”).

⁵ See Press Releases, Charter Communications Newsroom, *Spectrum Voice Customers Can Block Unwanted Telemarketing with Nomorobo* (Nov. 9, 2016), <https://newsroom.charter.com/press-releases/spectrum-voice-customers-block-telemarketing-nomorobo/>.

Registry,” while also maintaining an extensive “whitelist” of emergency services, such as hospitals, to avoid false positives.⁶

Charter makes Nomorobo available to our Residential Voice customers through our website, and also provides additional online resources and information to help prevent our customers from receiving unwanted and illegal robocalls.⁷ Hundreds of thousands of our users have signed up for Nomorobo service, and the vast majority of them are active users. As the Strike Force explained, apps like Nomorobo “are already playing a major role in mitigating unwanted robocalls,”⁸ and we expect that to continue.

II. Charter Supports, and Is Actively Participating in the Development of, Objective Criteria to Enable Providers to Efficiently Identify Illegal Calls.

Charter commends the Commission for seeking to identify additional “methods providers can use to identify illegal calls” for blocking.⁹ The historical approach of discouraging provider-initiated call blocking simply was not keeping pace with abusive and illegal calling practices.¹⁰ Charter is participating in an industry-led effort that will enable voice providers to authenticate phone numbers of calling parties before they reach consumers. This industry-led approach is

⁶ See Klint Finley, *Apple and Google Are Teaming up to Kill Robocalls Forever*, Wired (Aug. 22, 2016 7:00 AM), <https://www.wired.com/2016/08/fcc-robocall-strike-force/>; see also *Public Notice* at 3 (seeking to refresh the record “on how to reduce the potential for false positives”).

⁷ See, e.g., Spectrum, *Spectrum Voice: How do I reduce calls from telemarketers?*, <http://support.brighthouse.com/Article/Reduce-Calls-From-Telemarketers-6821/> (last visited Sept. 20, 2018).

⁸ *Strike Force Report* at 11.

⁹ *Public Notice* at 2.

¹⁰ See Comments of NCTA – The Internet & Television Association, CG Docket No. 17-59, at 1-2 (June 30, 2017); see also *In re Advanced Methods to Target and Eliminate Unlawful Robocalls*, Report and Order and Further Notice of Proposed Rulemaking, 32 FCC Rcd 9706, 9709 ¶ 9 (2017) (“*Call Blocking Report and Order*”) (confirming that voice service providers may engage in call blocking, under certain circumstances, without violating call completion requirements).

called the “Signature-based Handling of Asserted Information using toKENS” (“SHAKEN”) protocol and procedures, which leverages the Internet Engineering Task Force’s Secure Telephone Identity Revisited (“STIR”) protocol. In short, SHAKEN/STIR enables the receiving party’s voice service provider to verify the calling party’s number and identify when a calling party is using a “spoofed” number.¹¹ As the industry finalizes and implements the SHAKEN/STIR framework, the Commission should adopt rules that permit providers to block calls that fail authentication in cases where both the calling and terminating voice providers have implemented the SHAKEN/STIR protocols.¹² Given the robust testing of the SHAKEN/STIR framework that is currently underway,¹³ the Commission can be assured that such calls are “highly likely to be illegal.”¹⁴

III. Charter Supports a Presumption That Call Blocking Is Permissible When Based on Objective Criteria Developed by Industry Standards-Setting Bodies.

In the *Call Blocking Report and Order*, the Commission explained that one of its goals is “removing regulatory roadblocks and giv[ing] industry the flexibility to block illegal calls,” while also preserving the reliability of the nation’s communications networks.¹⁵ Based on the then-existing record, the Commission determined that there were four categories of calls that were highly likely to be illegal and, therefore, could be permissibly blocked by voice service providers:

¹¹ This system of authentication is similar to what is used to authenticate and establish connections when internet users connect to websites.

¹² See Press Release, FCC, *Chairman Pai Welcomes Call Authentication Recommendations from the North American Numbering Council* (May 14, 2018), http://www.nanc-chair.org/docs/mtg_docs/May18_FCC_Chairman_Welcomes_CATA_Recommendations.pdf.

¹³ See Kelly Hill, *Foiling Robocalls with SHAKEN and Stir*, RCR Wireless News (Sept. 19, 2017), <https://www.rcrwireless.com/20170919/test-and-measurement/foiling-robocalls-shaken-stir-tag6>.

¹⁴ *Public Notice* at 2.

¹⁵ *Call Blocking Report and Order*, 32 FCC Rcd at 9709 ¶ 9.

calls purportedly from a number (1) whose assigned subscriber requested such blocking; and calls purportedly from numbers (2) that are invalid, (3) that are unallocated, or (4) that are unused.¹⁶ The *Public Notice* seeks information on other calls that providers can identify as highly unlikely to be legitimate, with the goal of affording to providers “sufficient flexibility . . . to adapt to dynamic calling patterns.”¹⁷

Because of the rapid pace at which technology evolves, and the speed at which electronic harassment can shift to avoid detection, voice service providers and industry standards-setting bodies are best equipped to efficiently adapt and implement effective solutions to combat fraudulent and abusive practices. Additionally, because entities like ATIS and other standards-setting bodies involve broad participation and utilize transparent, consensus-based approval processes, they will work in the interests of consumers and produce output that is easily reviewable.¹⁸ Thus, Charter would support the Commission’s adoption of a presumption that blocking practices developed by industry standard-setting bodies (like ATIS), and based on objective criteria, are permissible.

¹⁶ *Call Blocking Report and Order*, 32 FCC Rcd at 9710, 9713 ¶¶ 10, 18; see also *Public Notice* at 1 n.3.

¹⁷ *Public Notice* at 1-2.

¹⁸ *Strike Force Report* at 5.

CONCLUSION

Charter appreciates the Commission's request for industry input on combatting illegal robocalls. Because we believe that customers and providers both play critical roles in solving the pervasive illegal robocalling problem, we will continue to empower our customers to block unwanted calls and work with our industry partners to develop enhanced tools to combat and prevent unwanted and illegal calls from reaching consumers. We commend the Commission for continuing to look closely at this problem, and urge it to permit providers to do their part by adopting rules authorizing call blocking based on objective criteria developed by industry standards-setting bodies to identify illegal robocalls.

Respectfully submitted,

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September 24, 2018