**Before the**

**FEDERAL COMMUNICATIONS COMMISSION**

**Washington D.C. 20553**

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

SECOND NOTICE OF INQUIRY

To: The Commission

**REPLY COMMENTS OF GENESYS COMMUNICATIONS LABORATORIES, INC.**

Genesys Communications Laboratories, Inc. (“Genesys”) welcomes and appreciates the Commission’s efforts to address the reassigned number issue outlined in the second notice of inquiry and fully supports the development of a repository for reassigned number information. If successful the repository will provide an enhanced opportunity for responsible parties to track and scrub their outcall databases and comply with requirements of the TCPA, while providing a tool to hold bad actors accountable for their destructive and abusive behavior.

Since our inception in 1990, Genesys has been a pioneer in advancing customer service. We are a leading provider of customer experience and contact center solutions. With over 3500 customers in 80 countries, Genesys orchestrates more than 100 million customer interactions every day. Genesys helps its clients power optimal customer experiences that deliver consistent, seamless and personalized experiences across all touch-points, channels and interactions.

Genesys read with interest the comments of Neustar, Inc. in which they advocate for “robust, technologically sophisticated, and competitive commercial offering[s]… [which] allow callers to mitigate the risk of calling reassigned numbers…” Indeed, Neustar purports to offer such a service to many of the largest brands in the United States.[[1]](#footnote-1) We are familiar and impressed with Neustar’s various product offerings and while we would prefer a marketplace solution to the problem of identifying reassigned numbers, merely mitigating the risk of calls to reassigned numbers does not go far enough to protect our clients against current class action and other liabilities established under the Commission’s 2015 Order.

Similarly we welcomed the news that Syniverse Technologies offers a Number Verification Service that “enables callers to verify the customer contact information… that can ensure callers are aware of number reassignments before they make calls.” However we are confused by their later comments which seem more prospective: “[r]elying on marketplace solutions will allow companies like Syniverse to compete, innovate and improve comprehensive TCPA solutions for callers…[[2]](#footnote-2) We follow the marketplace closely and our understanding is that the Syniverse offering does not include all mobile, landline, VOIP and toll-free number reassignments and status, and therefore does not offer a complete enough solution to protect our clients against current class action and other liabilities established under the Commission’s 2015 Order. We would love to be proven wrong in that regard.

Further, Genesys cautions against the sentiments expressed by Noble Systems which describe the reassigned number problem as a “relatively minor problem [and that the] problem of inadvertent calls to reassigned numbers comprises a relatively small problem that is over shadowed by the larger problem of illegal robocalls in general.”[[3]](#footnote-3) While it may be that the shear number of illegal calls dwarfs the number of inadvertent calls, the significant and immediate class action and other liability that attaches to inadvertent calls is a significant problem worth solving. We continue to encourage and support the Commission’s and the Federal Trade Commission’s efforts to enforce against those intentionally making illegal calls.

Genesys agrees that a repository of reassigned numbers could be a positive step, but to be truly effective such a repository must (a) contain all active numbers, whether associated with mobile, landline, VOIP or toll-free service; (b) include information associated with each number to allow callers to reasonably be able to confirm their status; and (c) identify “numbers in transition” with additional information appended that will allow callers to identify which transitions reflect on a subscriber’s presumed consent.

Genesys supports the creation of a single FCC-established database whether administered by a third party or not. Access to the database should not be public and should be reasonably priced, reflecting the actual cost of providing the data. Genesys agrees that subscription and use of the repository should include a presumption of good faith on the part of callers, and a safe harbor from TCPA enforcement in cases where the accuracy of the database has been relied upon by callers.

Respectfully submitted,

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Dated: September 26, 2017

1. Comments of Neustar, Inc., GC Docket No. 17-59, filed August 28, 2017, page 2 [↑](#footnote-ref-1)
2. Comments of Syniverse Technologies, LLC GC Docket No. 17-59, filed August 28, 2017, page 3 [↑](#footnote-ref-2)
3. Comments of Noble Systems Corporation, GC Docket No. 17-59, filed August 28, 2017, page 3 [↑](#footnote-ref-3)