

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Implementation of the)	CC Docket No. 95-155
Telecommunications Act of 1996)	CC Docket No. 96-115
)	
)	
Telecommunications Carriers' Use of)	
Customer Proprietary Network)	
Information and Other Customer)	
Information)	

COMMENTS OF RINGBOOST.COM

RingBoost.com (“RingBoost™”) submits these comments in support of 800 Response Information Services LLC’s Petition for Emergency Declaratory Relief, or, in the Alternative, Petition for Further Rulemaking (the “Petition”).¹ RingBoost™ agrees with 800 Response Information Services LLC (“Petitioner”) that restrictions being imposed by major wireless carriers on the routing and termination of toll-free calls have adverse effects on toll-free service subscribers and users of toll-free calling. In particular, many toll-free services provide access to health and public safety organizations, as well as business services providing time-sensitive services such as roadside assistance. Delays in reaching critical services cause more than inconveniences; rather, requiring additional consents (and delaying calls) can have serious health and safety consequences.

¹ Petition of 800 Response Information Services LLC for Emergency Declaratory Relief, or in the Alternative, Petition for Further Rulemaking, CC Docket No. 96-115 (filed Oct. 10, 2018). The Wireline Competition Bureau issued a Public Notice on October 18, 2018 seeking comments on the Petition and establishing a comment date of November 19, 2018. As such, these comments are timely filed.

Background - RingBoost™ and Shared Use

As background, RingBoost™ has promoted the expanded use of toll-free telephone numbers for over ten years. RingBoost™ has made substantial investments in technology and marketing over that period. RingBoost™ is the owner of record of such known brands as 1-800-HOMECARE™, 1-800-HOSPICE™, 1-800-CABLE-TV™, 1-800-HURT-NOW™ and 1-877-WINDOWS™ and has helped promote the equitable distribution of such brands through the use of shared use technology.

One of the premises and original arguments against the free trade of toll-free numbers was that they are a "scarce resource" and that private companies would scoop them up and prevent small and medium sized businesses and other organizations from having access to them. Contrary to that thinking, RingBoost™ and many similar companies have actually broadened the use of toll-free numbers by making these numbers more available and accessible to small businesses by enabling the shared use of these numbers in different geographic markets. Therefore, small businesses and organizations that otherwise would never have access to memorable vanity numbers and toll-free numbers can become a shared user of a number in a particular market. RingBoost™ enables close to 1000+ companies around the country to utilize, through sharing arrangements, approximately 100 toll free numbers, thereby giving small and medium-sized organizations access to popular toll-free numbers they would not have been able to access if the number were utilized by one company on an exclusive basis.

For example, instead of 1-800-HOMECARE™ being locked up by one company, 1-800-HOMECARE™ is actually being used by many different companies in more than 20 different markets across the United States on a shared use basis. This number allows callers to access home care services in their respective geographic areas. In fact, we have more than 75 customers

who are hospitals and home care companies that rely on shared use services to receive calls specifically from their markets. These are small, regional businesses, that rely on geographically-targeted calls. Similarly, callers seeking to reach hospitals and home care companies want to reach health care facilities and providers in close proximity to them. In other words, the geographic connection is key to both parties, even more so than in other business contexts.

Problems Experienced by Shared Use Customers

Recently, several of our toll-free shared use customers have experienced either missed calls completely or partially due to telecommunications carriers completing calls utilizing area codes rather than GPS. Carriers' reliance on area code location is particularly problematic with wireless numbers, because many subscribers keep their numbers when they move to other geographic areas.² For instance, a toll-free shared use customer in the Dallas/Fort Worth area has missed calls which should be routed to it due to carriers relying on the calling parties' wireless area codes rather than accessing the calling party's actual location to route the toll-free call.

This problem is exacerbated in major metropolitan, growing areas such as Dallas/Fort Worth, because many people living there now have moved from other locations (and have retained their phone numbers). The telecommunications carriers, rather than utilizing the caller's location information to route the toll-free call, are relying on the callers' area codes. Thus, someone from New York with a (914) area code, now living in the Dallas/Fort Worth area, could be directed to a 1-800-HOMECARE provider in Westchester County, New York, rather than Dallas, due to the failure of the wireless carriers to utilize location data rather than area code

² As stated by Patriot Communications in its comments filed in this docket, "Given the prolific use of cellular phones, the North American Numbering Plan (NANP) territorial districts are no longer as useful for geographic locations of phone numbers." (Comments of Patriot Communications, filed Oct. 10, 2018, at 1).

data. These situations can often be time-sensitive and thus misdirection of calls can cause public safety issues. For instance, a shared-use customer that utilizes 1-800-4-TOWING experienced multiple instances of callers being frustrated because instead of accessing towing services in New Jersey, they had been routed by wireless carriers to providers offering 1-800-4-TOWING in states associated with their wireless area codes rather than their actual location where they needed immediate towing and road service.

RingBoost™'s Support of the Petition

In the Petition, the Petitioner asks that the Commission require wireless carriers to pass geographic location for the purpose of routing toll-free calls based on geography. The Petition seeks to prohibit carriers from “block[ing] interconnection to their location platform for toll-free calls initiated on their networks, or to otherwise impose upon connecting carriers and providers of toll-free telephone service an obligation to obtain the consent of customers to use their location for purposes of routing their calls to a toll-free number.”³ RingBoost™ emphatically supports the Petition.

In its Petition, Petitioner explains that AT&T has notified connecting carriers and toll-free service providers that it will no longer provide even “coarse” location information for toll-free calls initiated by its own customers unless such calls are “safety related” (an undefined term).⁴ Verizon “has announced plans to initiate in the near future a cumbersome double consent requirement forcing customers to provide consent via SMS after already having imposed an opt-in consent for call termination via an interactive voice response (“IVR”).⁵ As Petitioner explains, this consent system unduly burdens callers, often causing them to abandon calls due to confusion

³ Public Notice, “Wireline Competition Bureau Seeks Comment on Petition of 800 Response for Declaratory Relief or Further Rulemaking,” CC Dockets Nos. 95-155 and 96-115, DA 18-1067 (rel. Oct. 18, 2018).

⁴ Petition at i.

⁵ *Id.* at i.

or frustration, particularly in the case of senior citizens and non-native English speakers. Further, a double opt-in which requires an SMS text following an IVR interaction poses numerous problems, including distracted driving, and delays in accessing time-sensitive services (such as home health services and road repairs).⁶ Moreover, individuals who do not use text services (such as an elderly person who utilizes mobile phone service only) would not be able to have their phone call properly directed because they could not complete the double opt-in mandated by the carriers' SMS requirement.

As discussed herein, shared use toll-free services rely on knowing where a call originates to connect a calling party with a geographically appropriate service provider. As Windstream states in its comments, “[t]he ability to access accurate and complete location data is essential for may toll-free service customers to be able to provide quality, location-specific services to callers.”⁷ This is especially important when dealing with health services, such as hospitals and home care providers, and other services involving public safety such as roadside assistance. Carriers' duty to interconnect is a fundamental tenet of the Telecommunications Act of 1996. Congress specifically mandated that telecommunications carriers must “interconnect directly or indirectly with the facilities and equipment of other telecommunications carriers.”⁸ As to privacy concerns, the Association of Toll-Free Professionals (“ATFP”) correctly states that “[t]here is **zero access or exchange** of CPNI data between the calling and the called party.”⁹ Rather, the CPNI is utilized by the carriers in conformance with Section 222(d) of the Communications Act, which allows carriers to use, disclose, or permit access to CPNI obtained from customers to

⁶ *Id.* at 6.

⁷ Comments of Windstream Services, LLC (filed Oct. 24, 2018) at 1.

⁸ 47 U.S.C. § 251.

⁹ Comments of Association of Toll-Free Professionals (filed on Oct. 17, 2018) at 2 (emphasis in original).

“initiate, render, bill and collect for telecommunications services.”¹⁰ If an initiating carrier provides information concerning the location of its customers who are dialing toll-free numbers to another carrier to properly route the call (*e.g.*, a shared used toll-free number), the information is being used to *render* telecommunications services, consistent with Section 222(d). Carriers which are requiring additional consents for such location-sharing or denying such location sharing have no basis for doing so, as the sharing of location information is consistent with the Communications Act, and the refusal to route the call properly contravenes the interconnection provisions of the Act.

Conclusion

As RingBoost™ has explained herein, shared use toll-free numbers play a critical role in conserving important toll-free numbers and enabling consumers and businesses to reach a wide range of services, including health and safety-related providers. It is critical that the Commission act promptly to grant the Petition’s Petition for Emergency Relief, or as requested, to undertake a further proceeding to examine these issues in more detail and to create equitable procedures. In the interim, the Commission should order carriers to provide location information and not require additional consents during the pendency of these proceedings.

¹⁰ Petition at 8 (quoting 47 U.S.C. § 222(d)).

Respectfully submitted,

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