

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

In the Matter of

Robocalls and Call-Blocking Issues Raised) CG Docket No. 02-278
By the National Association of Attorneys General) WC Docket No. 07-135

COMMENTS OF TRACFONE WIRELESS, INC.

TracFone Wireless, Inc. (“TracFone”), by its attorneys, hereby comments in response to the Consumer and Governmental Affairs Bureau (“CGB”) November 24, 2014 public notice.¹ In that public notice, CGB invited comment on a series of questions regarding the lawfulness of allowing telecommunications providers to block incoming calls as a means of enabling consumers to avoid receiving unwanted calls from telemarketers, particularly calls initiated using automated telephone dialing systems (so-called “robocalls”).

TracFone recognizes that unwanted telemarketing robocalls are annoying and that the Telephone Consumer Protection Act² and the Commission’s rules,³ as well as the Federal Trade Commission’s Telemarketing Sales Rule impose restrictions on use of robocalls for telemarketing purposes and provide enforcement tools and remedies for violation of those restrictions. It also recognizes that the Communications Act obligates telecommunications carriers to provide service upon reasonable request therefor and that the Commission has held in various contexts that call blocking is not permissible.

¹ Public Notice – Consumer and Governmental Affairs Bureau Seeks Comment on Robocalls and Call-Blocking Raised by the National Association of Attorneys General on Behalf of Thirty-Nine Attorneys General, DA 14-1700, released November 24, 2014.

² 47 U.S.C. § 227.

³ 47 C.F.R. §64.1200.

In considering the issues raised by the National Association of Attorneys General as set forth in the public notice, TracFone asks the Commission to carefully review those issues as they impact one specific category of telecommunications consumers – persons enrolled in the federal Lifeline program supported by the Universal Service Fund who have chosen to receive their Lifeline benefits in the form of no charge Lifeline services such as TracFone's SafeLink Wireless[®] service. TracFone's Lifeline customers receive monthly allotments of wireless airtime minutes provided at no charge. Most such Lifeline customers receive 250 minutes per month. Those monthly allotments are supported entirely by the USF with no payment by the enrolled consumers. 250 minutes is a generous monthly benefit, but it is not an unlimited allotment. Consumers of no charge Lifeline programs, including SafeLink[®] use their minutes carefully to ensure that they have sufficient minutes to send and receive calls (and text messages) which are important to them – to contact and be contacted by family members, health care providers, employers, etc. Loss of portions of their monthly minute allocations as a result of unwanted telemarketing robocalls deprives those consumers of potentially significant portions of their Lifeline benefits. Once those minutes have been used to answer unwanted telemarketing robocalls, they are gone. It is no consolation to the Lifeline consumer who has lost portions of his/her Lifeline benefit to know that the entities who initiated those unwanted and unlawful calls may eventually be subject to sanctions for violation of the TCPA.

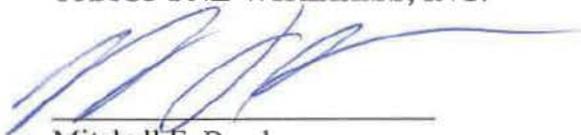
TracFone Lifeline customers receive from TracFone at no cost to them wireless handsets. Those handsets are basic wireless phones. They are capable of sending and receiving voice calls as well as text messages. They are not smartphones and do not come equipped with Do Not Disturb functionality, nor are they capable of downloading call blocking apps. Therefore, those

Lifeline consumers do not have available to them tools which enable prevention of unwanted telemarketing robocalls which deplete their monthly Lifeline benefits.

In conclusion, TracFone respectfully urges the Commission to remain mindful of the impact of unwanted telemarketing robocalls on the amount of monthly Lifeline-supported service available to their Lifeline customers.

Respectfully submitted,

TRACFONE WIRELESS, INC.



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