



Federal Communications Commission
Consumer & Governmental Affairs Bureau
Washington, D.C. 20554

04-36

CGB

OCT 12 2004

Control No. 0402961MA

The Honorable Charles W. Stenholm
U. S. House of Representatives
2409 Rayburn House Office Building
Washington, D.C. 20515

DOCKET FILE COPY ORIGINAL

Dear Congressman Stenholm:

Thank you for your letter on behalf of your constituent, Mr. Jeffrey Whitaker, regarding his concerns about a company, Star38.com, that offers a service to businesses which allows them to disguise their identity when placing calls to a phone that has Caller Identification (Caller ID). Specifically, Mr. Whitaker raises questions regarding the legality of the service.

It appears that the service offered by Star38.com is utilizing, Voice over Internet Protocol (VoIP), a technology that allows telephone calls to be made using a broadband Internet connection instead of a regular phone line. Currently the Commission is considering in a rulemaking proceeding, WC Docket No. 04-36, the appropriate legal and regulatory framework for IP-enabled services, including VoIP. Although the comment period has closed in this proceeding, we have placed a copy of Mr. Whitaker's correspondence in the public record for this proceeding. Enclosed is information Mr. Whitaker may find helpful.

The Commission seeks to inform consumers about their rights regarding common carrier practices that may violate the Communications Act or other federal or state regulations. In determining whether to take enforcement action or other action in any particular situation, the Commission may consider various factors, including the type of violation alleged, economic harm to consumers, and the probability of preventing future unlawful conduct. Letters from consumers provide valuable information that is frequently used to develop or support Commission initiatives for consumers and for enforcement purposes. Information compiled by the Consumer & Governmental Affairs Bureau is shared with the Enforcement Bureau, which may choose to pursue enforcement action against violators. We also invite Mr. Whitaker to visit the Consumer & Governmental Affairs Bureau's Internet web site at <http://www.fcc.gov/cgb>.

Additional information on telephone-related issues is available to the public by calling the Commission's Consumer Center toll free at 1-888-CALL-FCC, TTY users may call 1-888-TELL-FCC.

We appreciate your inquiry. Please do not hesitate to contact us if you have further questions.

Sincerely,

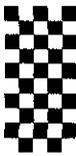
For Thomas D. Wyl

K. Dane Snowden

Chief

Consumer & Governmental Affairs Bureau

Enclosures



SEP. 17. 2004 2:45PM

HON STENHOLM

NO. 6587 P. 1/2

CHARLES W. STENHOLM

17TH DISTRICT
TEXAS

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House of Representatives
Washington, DC 20515**

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AGRICULTURE COMMITTEE
RANKING MEMBER

FAX TRANSMISSION COVER SHEET

TO: 202-414-2806

DATE: 9/17, 2004

FAX#: FCC Leg. Affairs NO. OF PAGES FOLLOWING: 1

*CCB
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2961*

 THE HONORABLE CHARLES W. STENHOLM

- BAILEY, TRES
- CROWE, DERRICK
- KELLER, ANNE
- KERSEY, KAREN
- LORENZEN, ED

- MCWRIGHT, JULIE
- NETTLES, CINDY
- PECHE, BILLY
- RAMOS, DERRICK
- SCHOONMAKER, JAYNE
- OTHER:

COMMENTS: Please review & address constituent's concerns.

DC

Note: This fax transmission contains confidential information from the Office of U.S. Congressman Charles W. Stenholm. It is intended solely for the addressee(s). If you receive this fax in error, please DO NOT disclose, copy, or distribute any part of this transmission. Instead, please notify us immediately at (202) 225-6605. Thank you.

RECEIVED TIME SEP. 17. 2:29PM

PRINT TIME SEP. 17. 2:30PM

View f:\emailobj\200409\1\93140812.txt

From: Web forms <webforms@www6a.house.gov>
Date: 9/3/2004 2:05:05 PM
To: imaTX17@mail.house.gov
Subject: Constituent Mail

Representative Stenholm, I saw a report on CNBC about a company that is offering a "star38" function to businesses that allows them to "falsify" the caller ID on the receiving party's phone so that the receiving party believes the caller is a friend, relative etc. I am concerned that, although they say it is to be used by bill collectors, the wide range of abuses by others could be monumental. Could this star38 be illegal or just bad taste? This function could violate privacy and render caller ID virtually useless. Their web site is www.star38.com Thank You for representing my concerns.....Jeff Whitaker, 660 Indian Springs Road, Springtown, Texas 76082-4346.

==== Original Formatted Message Starts Here =====

<APP>CUSTOM
<PREFIX>Mr.</PREFIX>
<FIRST>Jeffrey</FIRST>
<LAST>Whitaker</LAST>
<ADDR1>660 Indian Springs Rd.</ADDR1>

<CITY>Springtown</CITY>
<STATE>TX</STATE>
<ZIP>76082</ZIP>

Handwritten: star38.com

Handwritten: fec inquiry

<EMAIL>jeffxs@aolmail.net</EMAIL>
<AFFL></AFFL>
<AFFL></AFFL>

<MSG>Representative Stenholm, I saw a report on CNBC about a company that is offering a "star38" function to businesses that allows them to "falsify" the caller ID on the receiving party's phone so that the receiving party believes the caller is a friend, relative etc. I am concerned that, although they say it is to be used by bill collectors, the wide range of abuses by others could be monumental. Could this star38 be illegal or just bad taste? This function could violate privacy and render caller ID virtually useless. Their web site is www.star38.com Thank You for representing my concerns.....Jeff Whitaker, 660 Indian Springs Road, Springtown, Texas 76082-4346.

</MSG>
</APP>