

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Advanced Methods to Target and Eliminate Unlawful Robocalls)	CG Docket No. 17-59
)	
Call Authentication Trust Anchor)	CG Docket No. 17-97

COMMENTS



I. INTRODUCTION AND SUMMARY

ACA Connects – America’s Communications Association (“ACA Connects”) hereby files comments in response to the Third Further Notice of Proposed Rulemaking (“Third FNPRM”) in the above-captioned proceeding.¹ ACA Connects’ comments address proposals in the Third FNPRM regarding industry implementation of the SHAKEN/STIR caller ID authentication framework, including the proposal that the Commission mandate adoption of SHAKEN/STIR in the event that major voice providers fail to implement the framework voluntarily by the end of the year.²

¹ See *Advanced Methods to Target and Eliminate Unlawful Robocalls* et al., CG Docket No. 17-59 et al., Declaratory Ruling and Third Further Notice of Proposed Rulemaking, FCC 19-51 (rel. June 7, 2019) (“Declaratory Ruling” and “Third FNPRM,” respectively).

² See Third FNPRM, ¶ 71 *et seq.*

SHAKEN/STIR is a powerful tool for protecting consumers from bad actors that use “spoofed” telephone numbers to harass and defraud. ACA Connects thus applauds the Commission for its encouragement and support of the industry as it deploys SHAKEN/STIR. The Commission’s efforts are bearing fruit: large voice providers are already using the framework to exchange signed calls, and soon there will be an administrator in place to enable deployment of SHAKEN/STIR industry-wide. In light of this progress, ACA Connects believes that a SHAKEN/STIR implementation mandate is unnecessary and would more likely impede than advance deployment, and that, in any event, it would be premature and unduly burdensome to apply any implementation mandate to smaller providers or legacy networks. Finally, ACA Connects urges the Commission to ensure that any safe harbor it adopts for call blocking based on SHAKEN/STIR is carefully circumscribed to avoid blocking of wanted calls.

II. ROBUST DEPLOYMENT OF SHAKEN/STIR IS ON TRACK TO OCCUR IN 2019

Under the Commission’s leadership, the industry is making rapid progress in deploying SHAKEN/STIR. As a general matter, voice providers have strong business incentives to deploy tools, such as SHAKEN/STIR, that protect their customers from unwanted robocalls. Yet by its nature, SHAKEN/STIR requires significant coordination among voice providers to exchange signed calls effectively. The Chairman took a major step to facilitate this coordination when he endorsed a specific, industry-led implementation plan for SHAKEN/STIR last May.³ His endorsement created the “buy in” necessary for industry parties to invest considerable resources, including staff time, in

³ See FCC, Press Release, “Chairman Pai Welcomes Call Authentication Recommendations From the North American Numbering Council” (May 14, 2018).

forming a governance body, the Secure Telephone Identify Governance Authority (“STI-GA”), and in carrying out its work.⁴ The Chairman and his fellow Commissioners have also established a clear expectation that the industry deploy SHAKEN/STIR rapidly, with robust implementation expected by the end of the year.⁵

The industry has worked on an aggressive timeline to meet the Chairman’s and his fellow commissioners’ expectations. The STI-GA has completed a series of implementation steps, including the selection of iconectiv to serve as Policy Administrator.⁶ The STI-GA is on track to launch the SHAKEN/STIR ecosystem by year’s end, at which point service providers will be able to begin obtaining certificates and using them to authenticate calls.⁷ In the meantime, large voice service providers have implemented SHAKEN/STIR capabilities within their networks and, in some cases, are exchanging signed calls on a bilateral basis.⁸ By the end of the year, it is anticipated that SHAKEN/STIR capabilities will be deployed robustly by service providers that collectively serve a critical mass of voice subscribers, hundreds of millions in all.⁹

⁴ ACA Connects is a founding member of and current participant on the STI-GA Board of Directors.

⁵ See FCC, Press Release, “Chairman Pai Demands Industry Adopt Protocols to End Illegal Spoofing” (Nov. 5, 2018); see also Declaratory Ruling and Third Further Notice of Proposed Rulemaking at 55 (Statement of Commissioner Brendan Carr); *id.* at 57 (Statement of Commissioner Geoffrey Starks).

⁶ See FCC, Press Release, “Chairman Pai Statement on Latest Progress in Combatting Malicious Spoofing” (May 30, 2019).

⁷ See Presentation of Brent Struthers, ATIS, at the FCC SHAKEN/STIR Summit at 7 (July 11, 2019), <https://www.fcc.gov/sites/default/files/summit-07112019-brent-struthers.pdf>. The target date for implementation is Dec. 11, 2019.

⁸ See, e.g., Third FNPRM, ¶ 71.

⁹ Deployment of SHAKEN/STIR on this scale is also likely to deliver broader benefits for consumers of voice services. For instance, SHAKEN/STIR can improve the analytics that underlie call blocking programs.

III. A SHAKEN/STIR IMPLEMENTATION MANDATE IS UNNECESSARY, WOULD BE COUNTERPRODUCTIVE, AND WOULD BE PARTICULARLY BURDENSOME FOR SMALLER PROVIDERS AND LEGACY NETWORKS

With the nation's largest voice service providers on track to deploy SHAKEN/STIR substantially in 2019, ACA Connects does not expect that the Third FNPRM's precondition for a SHAKEN/STIR implementation mandate – the failure of major providers to deploy on schedule¹⁰ – will be met. At any rate, as more providers implement SHAKEN/STIR in their networks, and a larger share of calls are authenticated, those providers that lag behind face the risk that calls they originate will be treated unfavorably by terminating providers and their customers. That risk will continue to increase as familiarity with SHAKEN/STIR begins to shape customer expectations. Accordingly, even in the absence of a mandate, there are strong incentives for voice service providers to deploy SHAKEN/STIR as expeditiously as possible.

Moreover, there are practical aspects of SHAKEN/STIR implementation that are still evolving, which counsels against the adoption of a prescriptive mandate. For instance, the industry and other stakeholders are exploring the best ways to present call recipients with information derived from SHAKEN/STIR that is comprehensible, actionable, and not misleading.¹¹ Providers should retain the flexibility to experiment with and refine their practices as this work continues.

¹⁰ See Third FNPRM, ¶ 71.

¹¹ Indeed, the Commission has charged its Consumer Advisory Committee with developing recommendations in this area.

While ACA Connects does not believe that any implementation mandate would be productive at this time, there are additional reasons that the Commission should refrain from applying any SHAKEN/STIR mandate to smaller providers or legacy networks.¹² Given their limited resources and personnel, smaller providers are particularly likely to rely on third-party vendor solutions, which, to the extent they are available today, may be prohibitively expensive. In time, we expect that competition among vendors will drive down prices and improve the quality of SHAKEN/STIR offerings for smaller providers. The adoption of a mandate, by contrast, would likely have the unintended consequence of increasing implementation costs by providing equipment vendors with leverage to charge higher rates than they could charge otherwise in an open market.

Moreover, a mandate could steer smaller providers towards lowest-cost solutions, even where alternative options may provide more value to their customers. Different implementation solutions may include different features or capabilities; for instance, solutions that integrate SHAKEN/STIR with call analytics may provide tools that enhance a provider's ability to protect its customers from unwanted calls. As the marketplace continues to develop and mature, new and improved solutions and capabilities may become available. Smaller and mid-sized operators should be given time and encouragement to explore various solutions and weigh their options carefully, to ensure that they are directing their limited resources towards solutions that will deliver the best value proposition for their customers. Yet if smaller providers find themselves

¹² The Third FNPRM appropriately acknowledges the heightened challenges that smaller providers face in their deployment of SHAKEN/STIR. See Third FNPRM, ¶ 78, n.134.

subject to an implementation mandate, they are more likely to adopt a “compliance mindset” geared towards finding the simplest, least expensive and least disruptive solutions that satisfy their obligations.

Finally, in addition to the costs of procuring and implementing SHAKEN/STIR technology, smaller providers and operators of legacy networks may incur substantial costs upgrading their networks and service arrangements to deploy SHAKEN/STIR effectively, which further counsels against the adoption mandate for such providers at this time.¹³

To be clear, ACA Connects shares the Commission’s expectation that smaller providers and legacy networks will deploy SHAKEN/STIR, and it is encouraged by the work being done to identify cost-effective solutions for such providers. But given the substantial challenges that remain, and the uncertain timeline for resolving them, the adoption of an implementation mandate for such providers would be premature.

IV. THE COMMISSION SHOULD PROCEED CAUTIOUSLY IN ADOPTING A SAFE HARBOR FOR CALL BLOCKING BASED ON SHAKEN/STIR

The Third FNPRM also seeks comment on the adoption of a safe harbor for call blocking that takes into account whether a call has been properly authenticated under SHAKEN/STIR. ACA Connects has supported the Commission’s promotion of tools that block unwanted calls, including through its adoption of the Declaratory Ruling that accompanied the Third FNPRM,¹⁴ and ACA Connects recognizes that SHAKEN/STIR may contribute to the “reasonable analytics” that underlie call blocking programs.

¹³ See, e.g., Letter from Michael Romano, NTCA, to Marlene H. Dortch, Secretary, FCC, CG Docket No. 17-59 et al. (July 18, 2019).

¹⁴ See *generally* Declaratory Ruling; see *also* Letter From Brian Hurley, ACA Connects, to Marlene H. Dortch, Secretary, FCC, CG Docket No. 17-59 et al. (filed May 31, 2019).

That said, ACA Connects encourages the Commission to proceed carefully in adopting a call-blocking safe harbor based exclusively on the authentication of calls under SHAKEN/STIR. As explained in the Declaratory Ruling, the guiding purpose of any call-blocking program should be to identify and block calls that consumers do not want. The same principle should apply when blocking is performed on the basis of information derived from SHAKEN/STIR. Call authentication will become an increasingly powerful tool for distinguishing wanted from unwanted calls as SHAKEN/STIR deployment progresses, but it is premature to adopt a broad safe harbor based on this factor alone.¹⁵

V. CONCLUSION

ACA Connects appreciates the opportunity to participate in this proceeding, and it encourages the Commission to take its comments under consideration.

Respectfully submitted,



Matthew M. Polka
President and Chief Executive Officer
American Cable Association
Seven Parkway Center
Suite 755
Pittsburgh, Pennsylvania 15220
(412) 922-8300

Brian Hurley
Vice President of Regulatory Affairs
Ross J. Lieberman
Senior Vice President of Government
Affairs
ACA Connects – America’s
Communications Association
2415 39th Place, NW
Washington, DC 20007
(202) 573-6247

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¹⁵ To be clear, “whether [a provider] appropriately signs calls under the SHAKEN/STIR framework” may factor into “reasonable analytics designed to block unwanted calls.” See Declaratory Ruling, ¶ 35.