



September 22, 2021

Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington DC 20554

Re: Notice of *Ex Parte* Presentation, Advanced Methods to Target and Eliminate Unlawful Robocalls  
EB Docket No. 17-59

Dear Ms. Dortch:

This *ex parte* Notice is filed on behalf of several national organizations representing the interests of consumers, including the **National Consumer Law Center, Consumer Action, Consumer Federation of America, Electronic Privacy Information Center, and the National Association of Consumer Advocates**. Our goal in this letter is to provide the consumer perspective on the issues raised by the Petition for Reconsideration filed by USTelecom requesting that the Federal Communications Commission (Commission) reconsider the requirement that providers that block calls provide notice of the blocking by sending certain codes to the callers.<sup>1</sup> USTelecom's Petition seeks, *inter alia*, relief from the requirements for using certain specific codes to notify callers of call blocking.

We understand from the USTelecom Petition and accompanying filings that, if the Commission does *not* reconsider the requirement to use the specific mandated codes, then a significant amount of call blocking that is currently being done to protect consumers from unwanted and illegal calls will cease—at least for some

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<sup>1</sup> Petition for Reconsideration and Request for Clarification of USTelecom – The Broadband Association, CG Docket No. 17-59, at 3 (filed May 6, 2021), *available at* <https://ecfsapi.fcc.gov/file/10506243707563/USTelecom%20-%20Notification%20PER-Request%20for%20Clarification%20050621%20-%20FINAL.pdf> [hereinafter Petition].

period of time. Moreover, efforts to develop new call blocking mechanisms by some voice service providers are likely to slow down.<sup>2</sup>

As representatives of consumers, including low-income consumers, we take no position on the technical questions raised in the Petition: for example, whether certain codes are currently available for use by voice service providers to notify callers that their calls have been blocked, or the viability of the codes at issue, at this time or in the future. At this time, we are also agnostic about whether providers should be required to notify callers that their calls have been blocked, and about which blocked calls should trigger notifications.

**We write this *ex parte* Notice solely to strongly urge the Commission to do one thing: ensure that the maximum number of unwanted and illegal calls are blocked.**

It is imperative that the Commission continue to move forward to protect all telephone lines from the scourge of unwanted and illegal robocalls. The call blocking mechanisms employed by some of the larger voice service providers have succeeded in cutting down on many of these invasive calls.<sup>3</sup> **It is essential that the current aggressive blocking methodologies be permitted to continue, and encouraged to expand, as robocalls are still a major problem for American telephone subscribers.**

The risks to consumers of unblocked robocalls, especially scam calls, far outweigh the risk to callers from improperly blocked calls. As noted in Comments filed by one call blocker:

[V]ery few end-users report that TNS incorrectly marked a call as a negative call. TNS sees very little evidence in the crowd-sourced data of “false positives” (i.e., calls rated negatively that should be scored positively). Less than 0.2% (0.002) of high-risk originating numbers are reported as having falsely been labeled as negative calls.<sup>4</sup>

If there are any questions, please contact Margot Saunders at the National Consumer Law Center (NCLC), [msaunders@nclc.org](mailto:msaunders@nclc.org) (202 452 6252, extension 104). This disclosure is made pursuant to 47 C.F.R. § 1.1206. Thank you very much.

Sincerely,

Margot Saunders  
Senior Counsel  
National Consumer Law Center  
1001 Connecticut Ave, NW  
Washington, D.C. 20036

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<sup>2</sup> As USTelecom states in its Petition: “First, and most importantly here, standards that have not yet been accepted broadly by the industry may not be implementable in a practical way. This means that some providers currently blocking scores of illegal and unwanted robocalls (and only very occasionally blocking legitimate ones) may cease doing so if they find themselves unable to comply with the Commission’s return code requirement. It also means that providers not currently blocking illegal robocalls are unlikely to start doing so. In the end, subscribers lose.” Petition, *supra* note 1, at 4 (emphasis added).

<sup>3</sup> See Comments of Transaction Network Services, Inc., CG Docket No. 17-59, at 6-8 (filed Apr. 30, 2021), *available at* <https://ecfsapi.fcc.gov/file/1043011597674/TNS%20Apr%202021%20Comments%20for%20Second%20Bureau%20Call%20Blocking%20Report.pdf>. See also Petition, *supra* note 1, at 8.

<sup>4</sup> Comments of Transaction Network Services, *supra* note 3, at 8, (emphasis added).