Before the
Federal Communications Commission
Washington, D.C.

In the Matter of

Call Authentication Trust Anchor

Implementation of TRACED Act Section 6(a) — Knowledge of Customers by Entities with Access to Numbering Resources

WC Docket No. 17-97

WC Docket No. 20-67

REPLY COMMENTS OF CTIA

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CTIA respectfully submits these reply comments on the Federal Communications Commission’s (“FCC” or “Commission”) Further Notice of Proposed Rulemaking (“FNPRM”), requesting additional input on the Commission’s STIR/SHAKEN mandate and other efforts to promote caller ID authentication, which are vital to the multipronged and ongoing industry effort to protect consumers from unwanted and illegal robocalls.¹

I. INTRODUCTION AND SUMMARY

The comments in this proceeding confirm that STIR/SHAKEN will enable voice service providers to further arm consumers in the fight against illegal and unwanted robocalls with verified caller identification (caller ID) information. As the effectiveness of STIR/SHAKEN depends on widespread industry participation in the framework, the comments in this proceeding demonstrate that larger wireless service providers serving the majority of consumers have largely implemented the STIR/SHAKEN call authentication framework, but many smaller voice service providers face challenges in applying this Internet Protocol (IP)-based solution to legacy voice

networks. The record confirms that the Commission should ensure that voice service providers have flexibility to continue the implementation of STIR/SHAKEN and grant extensions for providers facing undue hardship so long as such providers implement robocall mitigation programs,² as the TRACED Act intended.

In addition to supporting these and other proposals from CTIA’s initial comments, the record confirms that the Commission should ensure providers have the flexibility to continue developing innovative call labeling and display practices and tools that will help to restore consumer confidence in caller ID information and voice services.³ Providers can increasingly harness a diverse array of caller information solutions that leverage or complement STIR/SHAKEN data, including registries and other emerging solutions, and the Commission should promote these efforts. The Commission should also adhere to the TRACED Act’s directives with respect to cost recovery for STIR/SHAKEN implementation while also affording providers flexibility to cover the costs of robocall mitigation tools. In sum, the Commission should adopt policies that give providers flexibility to leverage all evolving, innovative call authentication tools to help give consumers relief from illegal and unwanted robocalls.

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II. THE COMMISSION SHOULD ALLOW FLEXIBILITY IN THE IMPLEMENTATION OF CALL AUTHENTICATION SOLUTIONS AS INNOVATION AND BEST PRACTICES DEVELOP TO PROTECT CONSUMERS.

The record confirms that the Commission should give providers flexibility to implement STIR/SHAKEN as the voice services ecosystem continues to work through challenges and develop best practices for call authentication. As the effectiveness of STIR/SHAKEN depends on widespread industry participation, the comments in this proceeding demonstrate that wireless service providers serving the majority of consumers have largely implemented the STIR/SHAKEN call authentication framework voluntarily. Still, many voice service providers face technical, economic, and other challenges in applying this Internet Protocol (IP)-based solution to legacy voice networks. As CTIA proposed in its initial comments, the Commission

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4 See, e.g., Verizon Comments at 1 (“And as industry continues to work through the right ways to implement STIR/SHAKEN, the Commission should avoid imposing overly-prescriptive requirements that constrain service providers’ implementation flexibility.”); Comments of ACA Connects, WC Docket Nos. 17-97, 20-67, at 3 (filed May 15, 2020) (explaining that its members need flexibility to implement STIR/SHAKEN); CCA Comments at 6–7 (calling for “flexible caller ID authentication implementation for non-IP networks”) (capitalization altered); Comments of Neustar, WC Docket Nos. 17-97, 20-67, at 3 (filed May 15, 2020) (“Neustar Comments”) (explaining that “STIR/SHAKEN is not a static standard” and “will continue to be updated and enhanced as the available technology improves over time”); USTelecom Comments at 2 (“A continued reliance on flexibility and industry-led, standards-based solutions is necessary[.]”).

5 See AT&T Comments at 2; Verizon Comments at 1; T-Mobile Comments at 1-3.

6 See, e.g., Comments of Atheral LLC, WC Docket Nos. 17-97, 20-67, at 3-5 (filed May 15, 2020) (noting challenges smaller providers face in finding STIR/SHAKEN vendors and implementing STIR/SHAKEN compared to larger providers); Comments of NTCA, WC Docket Nos. 17-97, 20-67, at 10 (filed May 15, 2020) (noting that “there will be significant holes in the voice industry’s ability to protect consumers against illegal robocalls through the use of STIR/SHAKEN” given that calls “that originate on a TDM-based network will not have authentication information passed from the beginning of the call, while calls that originate in IP but must be exchanged in TDM will drop the authentication information”); CCA Comments at 3-4 (noting small providers depend on third-party vendors to make call authentication solutions available, delays are out of providers’ control, and providers face economic challenges to deploy solutions with limited resources).
should adhere to the implementation proposals in its Order regarding the discrete requirements providers must meet to comply with the STIR/SHAKEN mandate,\(^7\) and should allow the voice services ecosystem to work through challenges, develop best practices, and deliver on a variety of proposals.\(^8\)

Further, the record demonstrates that wireless service providers and ecosystem partners are working to develop best practices and enhance standards for call authentication, including STIR/SHAKEN,\(^9\) that will improve caller ID and call labeling for consumers by exploring various technical solutions, including within the Secure Telephone Identity Governance Authority (“STI-GA”). For example, registries are emerging as a leading solution to enhance call authentication and strengthen call labeling and display solutions.\(^10\) Specifically, registries enable calling parties to verify themselves and their phone numbers in order to strengthen ecosystem partner analytics in call labeling and display information, both in use cases where STIR/SHAKEN can be used as an input, and where STIR/SHAKEN may be limited or challenging, such as enterprise calling.\(^11\) Alternatively, some parties suggest that enterprises and

\(^7\) Order ¶ 33 (describing the three requirements providers must fulfill in order to be deemed compliant with the STIR/SHAKEN mandate). See also Order ¶¶ 25-54.

\(^8\) See Comments of CTIA, WC Docket Nos. 17-97, 20-67, at 8-9 (filed May 15, 2020) (“CTIA Comments”) (explaining additional work and study is needed to develop best practices for various aspects of STIR/SHAKEN implementation); AT&T Comments at 17 (same); Verizon Comments at 9 (same); T-Mobile Comments at 9 (same).

\(^9\) See, e.g., Verizon Comments at 9; AT&T Comments at 17.


\(^11\) Further, technical studies show that registries (“central TN databases”) can provide additional support to STIR/SHAKEN where the provider originating the call is not the provider that provided the telephone number (e.g., multi-homing). Technical Report on Central TN Database Approach to Full Attestation for Enterprises with Multi-Homing and/or Multi-Tenancy, ATIS,
other calling parties should have the ability to attest to the authenticity of their own calls through a process called “certificate delegation.”\textsuperscript{12}

In the initial comments, some commenters propose that the Commission should mandate that industry standards bodies select a single solution to enhance call authentication,\textsuperscript{13} but the Commission should approach these premature requests with caution. As registries, delegated certificates, and other approaches are under active consideration by industry stakeholders, standards bodies, and the STI-GA, the Commission should implement its STIR/SHAKEN mandate in a way that ensures providers have sufficient flexibility to utilize evolving, innovative call authentication solutions in order to help restore consumer confidence in caller ID and voice services.

III. THE RECORD CONFIRMS THAT THE COMMISSION SHOULD ALLOW INNOVATION AND MARKET INCENTIVES TO DRIVE CALL DISPLAY AND LABELING SOLUTIONS.

The record confirms that the Commission was right not to propose rules to restrict whether or how providers display STIR/SHAKEN verification results and to refrain from proposing to regulate labeling practices more generally.\textsuperscript{14} The diverse range of display and


\textsuperscript{13} See, e.g., Comments of Cloud Communications Alliance, WC Docket Nos. 17-97, 20-67, at 3–4 (filed May 15, 2020) (calling for FCC to require prompt finalization of standards for “A attestation through certificate delegation”); \textit{see also} Comments of Securus, WC Docket Nos. 17-97, 20-67, at 5-6 (filed May 15, 2020) (calling for extensions of STIR/SHAKEN compliance deadline until certificate delegation protocols are finalized.).

\textsuperscript{14} See, e.g., \textit{T-Mobile Comments} at 12–14 (calling for flexibility “regarding the form of STIR/SHAKEN verification results, i.e., call labeling”); \textit{see also} note 4 and accompanying text.
labeling offerings providers have deployed is already benefitting consumers.15 Indeed, millions of consumers are adopting labeling tools to help give them more information about the calls they receive, so they can make more informed choices about whether to answer the phone.16 By maintaining a flexible approach, the Commission can encourage this innovation and enable market forces and consumer demand to drive the implementation of call display and labeling solutions. A flexible approach is also consistent with the TRACED Act, which urges the Commission to encourage labeling, and not to impose rigid requirements.17

The Commission should be wary of commenters asking to limit labeling until the STIR/SHAKEN framework is fully implemented,18 claiming that labeling will not be effective

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15 See, e.g., FCC Consumer Advisory Committee Recommendation Regarding Caller ID Authentication, at 1 (Dec. 11, 2019) (explaining that “industry has … a variety of consumer-facing display practices and call labeling mechanisms, which can benefit many consumers by analyzing and labeling billions of calls monthly”).

16 See Comments of Frist Orion Corp., CG Docket No. 17-59, WC Docket No. 17-97, at 3–9 (filed Jan. 29, 2020) (noting that millions of customers are subscribed to labeling tools, which have identified billions of scam calls with an error rate of “a fraction of 1%”); see also Hiya, State of the Phone Call: End of the Year Report 2019, at 4, https://assets.hiya.com/public/pdf/HiyaStateOfTheCall2019.pdf?v=ff6a3203004af7328a696e57bc949dd (last visited May 21, 2020) (showing that “average pick-up rate” is more four times lower for “calls identified as spam,” as compared to other calls not saved in contacts);

17 See Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, Pub. L. No. 116-105, § 10(b), 133 Stat. 3274, 3284 (2019) (“TRACED Act”). Section 4(b)(7) calls for “best practices that providers of voice service may use . . . to take steps to ensure the calling party is accurately identified,” not rigid mandates. See id. § 4(b)(7). See also T-Mobile Comments at 12–13 (“[I]f Congress had intended to direct the Commission to prescribe a particular form of labeling, it would have.”).

18 Calls to limit labeling until the STIR/SHAKEN framework is fully implemented, as urged by the National Association of Federally-Insured Credit Unions (NAFCU) are misplaced and confute attestation with labeling. See Comments of NAFCU, WC Docket Nos. 17-97, 20-67, at 1 (filed May 14, 2020) (“NAFCU Comments”).
until then. Those commenters appear to conflate STIR/SHAKEN’s attestation framework and providers’ call blocking and labeling practices, which are distinct solutions that can each protect consumers. The record demonstrates that providers and analytics engines use a variety of inputs to inform their labeling practices, which may or may not include STIR/SHAKEN data. For example, call labeling services can use data from registries and vetting services, alongside other inputs, to help verify the caller and calling number, enhance call authentication (i.e. elevate STIR/SHAKEN attestation) or other call labeling solutions that enhance consumer confidence in the call label and display. Providers also rely on consumer input through tools that give consumers the ability block specific phone numbers or label them as SPAM or other categories, independent of STIR/SHAKEN. The Commission should encourage providers to continue developing and deploying all available solutions, and refrain from focusing exclusively on

19 See, e.g., NAFCU Comments at 1–2 (relying on Number Sentry Report to make claims about mislabeled calls); see also Comments of Twilio, WC Docket Nos. 17-97, 20-67, at 8 (filed May 15, 2020).


21 See, e.g., Comments of First Orion, WC Docket Nos. 17-97, 20-67, at 2 (filed May 15, 2020) (“First Orion Comments”) (“Provider labeling is generally powered by the same types of advanced analytics that the Commission has authorized and encouraged with regard to provider call blocking. Competition demands high levels of sophistication and accuracy as well as responsiveness in addressing issues relating to labeling.”).

22 See e.g., Verizon Call Filter, https://www.verizonwireless.com/support/call-filter-faqs/ (allowing consumers to create custom block and lists of phone numbers that will be labeled SPAM); T-Mobile Scam Block, https://www.t-mobile.com/support/plans-features/scam-id-and-scam-block#heading (alerting customers when analytics identify a call as Scam Likely and giving customers the option to answer or block the calls); AT&T Mobile Security and Call Protect, https://www.att.com/features/security-apps/ (enabling consumers to create a personal list of numbers the consumer wants blocked and custom call controls, which let customers choose call categories to accept, block, or send to voicemail). Providers may also use consumer input and focus group studies to determine how to treat consumers’ incoming calls and what enhanced call information consumers need to make informed decisions about the calls they receive.
STIR/SHAKEN to the detriment of innovative labeling or other call authentication tools.\textsuperscript{23} The Commission should also reject requests to define specific labeling categories or impose other prescriptive technical mandates.\textsuperscript{24} Consumers have embraced the diverse range of categories and options providers have developed as described above,\textsuperscript{25} and there is no need for requirements that would hinder innovation. Further, the record shows a standardized approach would not allow sufficient flexibility for providers to respond to consumer input and changing robocaller tactics.\textsuperscript{26}

Further, the Commission should refrain from requiring providers to notify calling parties when calls are labeled or blocked.\textsuperscript{27} Some commenters claim that call labeling and blocking

\textsuperscript{23} See, e.g., First Orion Comments at 2 (“unnecessary regulations or other requirements (such as those the Commission has not chosen to impose on provider blocking), would be antithetical to the aggressive, consumer friendly and deregulatory approach the Commission has maintained[.]”); see also T-Mobile Comments at 12–14; Comments of Comcast Corporation, WC Docket Nos. 17-97, 20-67, at 10 (filed May 15, 2020).

\textsuperscript{24} See, e.g., Comments of RadNet, WC Docket Nos. 17-97, 20-67, at 3 (filed May 15, 2020) (calling on FCC to “create [labeling] categories or indicators to provide the consumer with additional information about the caller.”).

\textsuperscript{25} See, e.g., FCC Consumer Advisory Committee Recommendation Regarding Collection of Data and/or Sources of Data on the Availability and Effectiveness of Call Blocking Tools, at 1–2 (Feb. 13, 2020) (recognizing that “industry has developed and implemented a variety of consumer-facing display practices and call labeling mechanisms, which can benefit many consumers by analyzing and labeling billions of calls monthly and empowering consumers to make informed choices about answering the phone calls they receive.”).

\textsuperscript{26} Alliance for Telecommunications Industry Solutions (ATIS) confirms that “[a] non-standardized approach will allow the industry the flexibility to innovate to meet customer needs and address evolving attack vectors,” while work is ongoing to update standards for enhancing call blocking and other tools. Comments of ATIS, WC Docket Nos. 17-97, 20-67, at 5 (filed May 15, 2020). See also Neustar Comments at 12 (explaining “a light-touch approach is warranted” and recommending “against the adoption of any requirements or standards for call labeling practices at this time. To maximize innovation in the call labeling space, the Commission should continue to afford voice service providers and device manufacturers the flexibility to explore the best ways to communicate relevant information to end users.”).

\textsuperscript{27} See Reply Comments of CTIA, CG Docket No. 17-59, WC Docket No. 17-97, at 1–5 (filed Feb. 28, 2020) (“CTIA Robocall Staff Report Reply Comments”; TNS Comments at 12. As CTIA has explained, these solutions can tip off bad actors, divert resources away from
tools are keeping legitimate calls from reaching consumers, but they cite studies that do not account for consumer consent and are vague in defining metrics, which likely cloud or overstate reports of mislabeling or other issues. Notwithstanding the complexity of measuring the effectiveness of robocall mitigation tools and lack of substantial evidence of overblocking or mislabeling, wireless providers and their analytics engine partners are constantly tracking their labeling and blocking efforts and exploring ways to enhance their offerings. Mandating a caller notification requirement would impose substantial costs to address a problem that stakeholders are seeking to address in more effective and efficient ways. The Commission should not distract from those efforts via a notification mandate, particularly as evidence of the benefits of robocall mitigation tools, as well as the consumer frustration and harm caused by illegal and unwanted robocalls, far outweighs evidence of the alleged harms of tools intended to protect consumers.

In addition, notice of call labeling or blocking may have negative unintended consequences. As TNS explains, “notice to calling parties on individual calls of the treatment of the call may be counter-productive and undermine the effectiveness of robocall mitigation solutions by tipping off scam artists[.].” Voice service providers are exploring notification tools addressing illegal and unwanted robocalls, and undermine ongoing innovation. See Reply Comments of CTIA, CG Docket No. 17-59, WC Docket No. 17-97, at 7 (filed Aug. 23, 2019).

See Comments of Professional Association for Customer Engagement, WC Docket Nos. 17-97, 20-67, at 3 (filed May 12, 2020); NAFCU Comments at 1-2.

For example, TNS studies show that “[o]nly 0.2% (0.002) of high risk originating numbers are reported as having falsely been labeled as negative calls.” Comments of Transaction Network Services, WC Docket Nos. 17-97, 20-67, at 10 (filed May 15, 2020) (“TNS Comments”). First Orion’s labeling tools have identified billions of scam calls with an error rate of “a fraction of 1 percent.” See Comments of First Orion, CG Docket No. 17-59, 17-97, at 3-9 (filed Jan. 29, 2020) (“First Orion Robocall Staff Report Comments”).

TNS Comments at iii.
and other solutions, and the Commission should encourage these efforts by refraining from prescribing how providers should label calls or make decisions on blocking while these tools evolve.

The Commission should also reject calls for burdensome reporting and disclosure mandates as wireless providers are working with legitimate calling parties to share information, prevent mislabeling, and address other issues if they arise. For example, as part of industry’s COVID-19 response, the Communications Sector Coordinating Council and its participants teamed with Department of Homeland Security to publish best practices for legitimate callers such as public safety and public health entities conducting COVID-19 campaigns. These procedures encouraged legitimate callers to register their numbers and provided resources to address any incorrect labeling or blocking. As noted above, the development of registry services are also becoming part of the voice service ecosystems’ efforts to facilitate information sharing between providers and calling parties and enhance the accuracy of call labeling and blocking solutions. Further, wireless providers and their analytics partners are working to

31 See, e.g., AT&T Comments, at 9 (“[W]hen a blocked suspect robocall line calls AT&T’s Mobility, U-verse, Prepaid, or Cricket customers, the caller receives the following announcement: ‘Your access to this network is restricted. Please contact 1-888-212-6040 if you feel you have reached this recording in error.’ The same message repeats in Spanish.”).

32 CTIA’s How to Stop Robocall Consumer Resource provides a consolidated list of links and email addresses for legitimate callers to register their phone numbers with nationwide providers and their analytics providers as well as third-party app providers. Consumer Resources: How to Stop Robocalls, CTIA, https://www.ctia.org/consumer-resources/how-to-stop-robocalls (last visited May 28, 2020). See also CTIA Call Blocking Report Reply Comments at 1–5, Attachment 1 (resource providing contact information to help legitimate callers reach wireless providers and analytics engine partners to address questions or issues).


34 Id.
address reports of mislabeling, inadvertent blocking, or other issues.\footnote{See, e.g., CITA Robocall Staff Report Reply Comments at 10; TNS Comments at iii, 11 (“[T]here is no need for Commission intervention to address any concerns over ‘derogatory’ labels or alleged mislabeling at this time. Appropriate redress mechanisms are in place and will improve over time.”). Analytics engines and voice service providers offer contacts to address reported issues. For example, T-Mobile’s analytics engine partner First Orion offers direct support for reports of mislabeling or mistaken blocking at CallTransparency.com, \url{https://www.calltransparency.com/} ("Think your number is being erroneously labeled or blocked? Select the Get Started button now or contact us by using the Support button below.").}

Finally, the record confirms that the Commission should adopt a broad safe harbor that mitigates liability for blocking, labeling, and trust identification decisions based on reasonable analytics, which may include STIR/SHAKEN data.\footnote{See, e.g., Comments of CTIA, CG Docket No. 17-59, WC Docket No. 17-97, at 18–21 (filed Jan. 29, 2020) (“CTIA Robocall Staff Report Comments”); First Orion Robocall Staff Report Comments at 5–7; Comments of NCTA – The Internet & Television Association, CG Docket No. 17-79, WC Docket No. 17-97, at 3–5 (filed Jan. 29, 2020); Comments of T-Mobile USA, Inc., CG Docket No. 17-59, WC Docket No. 17-97, at 7–8 (filed Jan. 29, 2020); TNS Comments at 16; Comments of USTelecom – The Broadband Association, CG Docket No. 17-59, WC Docket No. 17-97, at 4–6 (filed Jan. 29, 2020).} A safe harbor will help encourage providers to use innovative labeling and other robocall mitigation tools to protect consumers. Consistent with the TRACED Act, the Commission should expeditiously move to adopt a safe harbor to encourage providers to use innovative labeling and all other available tools to restore consumer confidence in caller ID and voice services.

\section*{IV. THE COMMISSION SHOULD PROVIDE FLEXIBILITY FOR PROVIDERS TO COVER THE COSTS OF ROBOCALL MITIGATION TOOLS.}

With respect to cost recovery, the Commission should be cautious about comments in the record that appear to go beyond Congress’ directive in the TRACED Act.\footnote{See, e.g., Comments of Arkansas Attorney General Leslie Rutledge, WC Docket No. 17-97, 20-67, at 5 (May 15, 2020) (arguing that providers should not be allowed to pass along the implementation costs of STIR/SHAKEN or other robocall solutions); RadNet Comments at 2 (“RadNet recommends service providers be prohibited from charging healthcare facilities and providers, regardless of size, for call authentication technology pursuant to the TRACED Act.”); see also Comments of the American Financial Services Association, WC Docket Nos. 17-97, 20-67, at 1-2 (filed May 15, 2020) (“AFSA requests that the FCC begin its rulemaking as soon as
companies have made free robocall mitigation solutions a mainstay of their offerings, including deploying the STIR/SHAKEN call authentication solution, as well as call labeling and call blocking solutions.\textsuperscript{38} Consistent with the TRACED Act, wireless providers have not added line item charges to consumer or small business bills for implementation of call authentication.

The Commission should not go beyond the “four corners” of the directive in the TRACED Act to specifically regulate how providers cover the costs of robocalls mitigation solutions.\textsuperscript{39} Industry has committed to making the STIR/SHAKEN call authentication framework a reality for consumers across the country.\textsuperscript{40} The Commission recognized in its Order that STIR/SHAKEN is a capital- and resource-intensive effort that will require significant investment.\textsuperscript{41} The TRACED Act explicitly prohibited additional line item charges and refrained from regulating how providers cover the costs of expensive robocall mitigation solutions. Thus, the Commission should allow flexibility for how voice service providers ensure that consumers can benefit from new, innovative solutions that will provide relief from the pain of illegal and unwanted robocalls.\textsuperscript{42}

\textsuperscript{38} See, e.g., CTIA Robocall Staff Report Comments at Attachment 1.

\textsuperscript{39} Long-standing FCC precedent supports refraining from prohibiting cost recovery, and the FCC should clarify that it will not depart from this precedent. See, e.g., Commercial Mobile Alert Sys., Third Report and Order, 23 FCC Rcd. 12561, 12578–80, ¶¶ 43–46 (2008).

\textsuperscript{40} See, e.g., CTIA Comments at 5.

\textsuperscript{41} See Order, ¶ 53 (recognizing that implementation costs will range from roughly $39 million and $780 million annually in operating costs, with up-front costs for the largest voice service providers in the tens of millions of dollars).

\textsuperscript{42} See Order and FNPRM, Statement of Commissioner Michael O’Rielly (noting that “[a] billing line item prohibition does not prohibit cost recovery.”). See also Comments of Cooperative Telephone Company, WC Docket Nos. 17-97, 20-67, at 3 (filed May 15, 2020) (obtaining a solution will be burdensome, “particularly since the Commission has proposed to prohibit service providers from recouping the costs of implementing a call authentication framework
V. CONCLUSION

For the reasons discussed above the Commission should take a flexible approach to promoting widespread participation in robocalls mitigation solutions, including STIR/SHAKEN, by allowing innovation, market incentives, and consumer choice to drive development of call display, labeling, and STIR/SHAKEN implementation best practices. The Commission should also fulfill Congress' intent in the TRACED Act with respect to cost recovery by ensuring that providers have flexibility to cover costs of delivering innovative solutions. By adopting CTIA’s proposals, the Commission will help ensure that providers can address the challenges of implementing STIR/SHAKEN while delivering solutions that will help to restore consumer confidence in caller ID and voice services.

Respectfully submitted,

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from consumer and small business subscribers, pursuant to Section 4(a)(2)(A) of the TRACED Act.”).