

caller ID authentication framework.² Since its launch in 2018, the STI-GA has made consistent progress on the deployment of the framework³ and has been responsible for identifying and addressing emerging issues that will ensure the SHAKEN framework is “ready for broader use and anticipated expansion in 2021”⁴ when the Commission’s new requirements on participation take effect.

In 2020, the STI-GA developed a process to revoke authorized service provider’s access to SPC tokens in the event of “misuse . . . or failure to comply with important framework policies and other safeguards [that] could jeopardize the integrity of the STIR/SHAKEN ecosystem.”⁵ The revocation process is considered only in situations where a voice service provider is determined to be in breach of a signed compliance agreement with the Secure Telephone Identity – Policy Administrator and can only be conducted by the STI-GA. The Governance Authority conducts a multi-step process that includes a thorough review of the complaint and any relevant written information provided by the service provider. Service providers that have their access to SPC tokens revoked are provided with a written notification from the STI-GA describing the reasoning for the decision and are allowed to appeal the

² SECURE TELEPHONE IDENTITY GOVERNANCE AUTHORITY, <https://sti-ga.atis.org/> (last visited March 19, 2021).

³ See STI-GA, 2020 Year-End STI-GA Report (2021), *available at* <https://sti-ga.atis.org/wp-content/uploads/sites/14/2021/02/2020-Year-End-SHAKEN-Report-Public-Final.pdf> (“2020 STI-GA Report”) (indicating that the STI-GA Board instituted or amended policies for how certificate authorities assign and manage certificates assigned to service providers, which service providers have access to certificates, how those certificates might be revoked, and how a service provider could be reinstated to the ecosystem post-revocation).

⁴ Press Release, STI-GA, STI-GA Reports on Industry’s Robocalling Mitigation Progress (Feb. 4, 2021), *available at* <https://www.atis.org/press-releases/sti-ga-reports-on-industrys-robocalling-mitigation-progress/>.

⁵ 2020 STI-GA Report at 3.

decision. Additionally, the STI-GA allows service providers to seek reinstatement once it has addressed the deficiencies identified by the Governance Authority in its notification. While INCOMPAS supports the STI-GA revocation process, the Commission's recognition that, in some instances, the STI-GA's actions "would have the effect of placing providers in noncompliance with our rules" (at least temporarily while the impacted service provider cures the deficiencies that led to the revocation) seemingly warrants Commission involvement and INCOMPAS supports the agency's proposal to "establish an oversight role for the Commission over the Governance Authority's token revocation decisions."⁶

The Commission proposes to allow review under the same format as the agency's universal service appeals rules and decisions made by the Universal Service Administrative Company. INCOMPAS agrees that similar procedural requirements to these rules should allow the Commission to identify the relevant facts and issues and reach the necessary conclusions; however, we urge the Commission to tighten its timing requirements and complete these reviews in a timely manner. Specifically, INCOMPAS recommends that the Commission give voice service providers 30 days after the STI-GA upholds an adverse decision under appeal to request review by the agency. Revoking a voice service provider's access to SPC tokens will have significant repercussions for the provider and its customers, particularly once the Commission's STIR/SHAKEN caller ID authentication compliance requirements go into effect in 2021 and providers are required to exchange traffic in accordance with the framework. Customers similarly need assurances that their voice service provider will be able to quickly navigate and resolve any appeals process, even if the Commission adopts its proposal not to judge voice service providers to be in violation of its section 64.6301 rules or the TRACED Act during the

⁶ *Further Notice* at para. 10.

review process. Therefore, INCOMPAS further suggests that the Commission adopt a 30 day time limit on Bureau or Commission review. Knowing that any disputes over the revocation process will be resolved within 60 days will give impacted voice service providers and their customers the information and clarity they need to make plans beyond the Commission's review.

Finally, INCOMPAS supports the Commission's proposal to apply a *de novo* standard when reviewing a revocation. Requiring a voice service provider to submit a full statement of relevant, material facts with supporting affidavits and documentation and having the Commission conduct a new and full review of the request should allow the Commission to verify the STI-GA's decision-making. Additionally, Commission review of this policy could lead to necessary refinement that will assist the Governance Authority as it further establishes standards and policies for implementation of the STIR/SHAKEN framework.

For the reasons stated herein, INCOMPAS urges the Commission to consider the recommendations in its comments as it examines the issues raised in the *Further Notice*.

Respectfully submitted,

INCOMPAS

/s/ Christopher L. Shipley

Christopher L. Shipley
Attorney & Policy Advisor
INCOMPAS
1100 G Street NW
Suite 800
Washington, D.C. 20005
(202) 872-5746

March 19, 2020