

comments that it is possible for providers to partner with outsource solution vendors or underlying providers to meet call authentication requirements, including signing calls in a transparent manner through the STIR/SHAKEN framework. Engaging in third-party caller ID authentication benefits the STIR/SHAKEN ecosystem by increasing the number of calls that are signed with a SHAKEN signature and by expanding the variety of signing options available to voice service providers and their customers. At a time when the Commission is actively working to encourage more providers to sign calls in accordance with STIR/SHAKEN, third party solutions are already helping to advance the goals of increasing trust and transparency in modern voice service networks, particularly for providers or enterprise customers that do not have control of the infrastructure necessary to implement STIR/SHAKEN.

The primary reason that providers have been able to use third-party caller ID authentication to increase the number of STIR/SHAKEN-signed calls is the flexibility currently provided by the ATIS standards. These standards contemplate a variety of use cases and arrangements as noted by several stakeholders in the record. Whether the arrangement includes contractual solutions between providers that are unable to obtain a SPC token and U.S.-based

services provide cost-effective solutions that can help increase the adoption, implementation, and effectiveness of the STIR/SHAKEN framework); Comments of ACA Connects, WC Docket No. 17-97, 2 (filed June 5, 2023) (“ACA Connects Comments”) (reporting that providers that lack control of the infrastructure necessary to implement STIR/SHAKEN receive third-party authentication services from a wholesale provider that have “proven to be an effective means . . . to get timely and efficient access to the benefits of STIR/SHAKEN”); Comments of the Cloud Communications Alliance, WC Docket No. 17-97, 13 (filed June 5, 2023) (“CCA Comments”) (“third party authentication confers substantial benefits by fostering participation in the STIR/SHAKEN framework by entities that may lack the infrastructure necessary to implement the framework”).

partners to apply the correct attestation to calls originating overseas,³ partnerships between facilities-based voice resellers and their wholesale providers,⁴ or allowing Responsible Organizations to authenticate calls placed from toll-free numbers,⁵ third-party authentication has offered important solutions that are consistent with the Commission’s requirements to providers and customers that otherwise would have been unable to sign their own calls.

Indeed, most forms of third-party authentication receive broad support in this proceeding with the exception of “third-party signing” where a downstream provider signs calls that are not otherwise being signed by an originating provider upstream. The underlying concern is that this could undermine the STIR/SHAKEN framework due to inconsistent signing practices and attestation-level abuse.⁶ While INCOMPAS agrees that providers should not be able to employ third-party caller ID authentication “as a ploy to avoid scrutiny and accountability,”⁷ the Cloud Communications Alliance (“CCA”) addresses and dispels many of the concerns over third-party signing raised by others in this proceeding. As CCA notes, the proper implementation of third-party caller ID arrangements in accordance with standards, such as ATIS-1000088, typically

³ See Comments of INCOMPAS, WC Docket No. 17-97, 7 (filed June 5, 2023) (describing a multi-trunk approach by which providers segment their international traffic into separate streams that correlate with A-, B-, and C-level attestations).

⁴ See ACA Connects Comments at 3-4.

⁵ See Comments of Somos, Inc. WC Docket No. 17-97, 1 (filed June 5, 2023). Additionally, INCOMPAS supports Somos’ proposal that the Commission issue a mandate requiring all service providers to accept delegated certificates.

⁶ See Notice of Ex Parte of Transnexus, WC Docket No. 17-97 (filed May 22, 2023); Comments of USTelecom—The Broadband Association, WC Docket No. 17-97, 2-3 (filed June 5, 2023); NCTA Comments at 2; Comments of NTCA—The Rural Broadband Association, 2-3 (filed June 5, 2023).

⁷ See ACA Connects Comments at 4.

“result in the provision of trustworthy attestations.”⁸ This is primarily because underlying providers and their customers establish the appropriate parameters—consistent with the standards as well as the Commission’s Know Your Customer and Know Your Upstream Providers rules—through specific commercial arrangements.⁹

Opponents of third-party signing also express concern about the impact that the practice may have on the efficacy of traceback and the ability to identify the end user. This concern is simply not founded in actual practice; third-party signing does not negatively affect traceback or the ability to identify the end user that made a call. In practice, domestic originating providers (customers of those that are signing) typically are identified to the Industry Traceback Group (“ITG”) by the signing company and then become subject to direct cooperation with the ITG. INCOMPAS members that are not direct signers nevertheless complete responses to ITG traceback inquiries without compromise. In addition, like INCOMPAS, CCA asserts that the application of an origination identifier or “origID” in the STIR/SHAKEN SIP header information can appropriately address this concern and ensure that the Commission or ITG can identify the source of any illegal robocalls.¹⁰

⁸ See CCA Comments at 8 (CCA notes that ATIS-1000088 allows an originating service provider to provide an attestation for calls received from its own reseller or value-added service provider customer based on its knowledge of its customer and the customer’s right to use the number, regardless of its knowledge of the ultimate end user). Furthermore, CCA contends that the Commission has authority to address abuses in the presentation of attestation level if necessary.

⁹ See also Comments of Neustar, WC Docket No. 17-97 (filed June 5, 2023) (“Whether a voice service provider chooses a third-party on-premise deployment or a hosted deployment, the voice service provider that configures their SHAKEN certificate in the Caller ID authentication system is responsible for defining and managing the policies used to sign and verify calls, including the setting of appropriate attestation levels.”)

¹⁰ See CCA Comments at 12.

Given the variety of third-party caller ID authentication solutions in the market, any efforts by the Commission to prohibit or limit the practice would have significant impacts with costly changes to a range of current operations. Specifically with respect to third-party signing, requiring all providers to obtain a token that could be used by a third-party authenticator would necessitate changes with both the industry's token access policies and the Commission's current administration of voice service providers.¹¹ Additionally, providers would need significant lead time from the Commission so that industry policies could be adjusted, new commercial arrangements could be made with customers, and the necessary steps could be taken to obtain a token.¹² Rather than reorganize industry's efforts to implement the STIR/SHAKEN framework, INCOMPAS urges the Commission to rely on the authority of the Enforcement Bureau to address those instances when an illegal robocaller is attempting to evade accountability through third-party authentication. Furthermore, the Commission should rely on the Secure Telephone Identity Governance Authority ("STI-GA") to address any ongoing issues or gaps in the standards that lead to attestation abuse. As noted during the recent North American Numbering Council meeting, the STI-GA is currently considering additional methods to ensure that

¹¹ For example, the current STI-GA Token Access Policy requires a provider to have (1) a current FCC Form 499A on file with the Commission, (2) been assigned an Operating Company Number ("OCN"), and (3) certified that they have implemented STIR/SHAKEN or comply with the Robocall Mitigation Program requirements and are listed in the FCC Robocall Mitigation Database. However, many providers do not operate a business model that allows them to get an OCN from the Commission. *See* STI Governance Authority, STI-GA Policy Decisions Binder, Version, 3.2 at 6 (Oct. 29, 2021), Policy Decision 001: SPC Token Access Policy, version 1.2 (May 18, 2021), <https://sti-ga.atis.org/wpcontent/uploads/sites/14/2021/10/211029-STIGA-Board-Policy-Decision-Binder-v3-2-Final.pdf>.

¹² Our members indicate that among other burdensome administrative steps, voice service providers are required to provide the STI Policy Administrator with all-associated IP addresses as part of acquiring a Service Provider Code token.

providers are not abusing attestation levels.¹³ Lastly, as other countries implement STIR/SHAKEN, it will be important not to implement rules that alter the standard in significant ways resulting in varied implementations that can impair interoperability among SHAKEN systems internationally.

As the Commission examines current third party authentication solutions, the agency would also be well served to continue to seek greater transparency to understand how STIR/SHAKEN is utilized at the terminating end of calls before it declares any current valid standardized third party solutions unacceptable. First, the absence of ubiquitous IP interconnection across the networks means that STIR/SHAKEN headers may not reach terminating providers with the necessary information for consumers to make the necessary value judgment (based on an A-, B-, or C-level attestation) as to whether or not a call is originated from a vetted source.¹⁴ Second, a recent filing by Unified Office, Inc. raised concerns about terminating providers and their analytics company deleting or removing a customer's name from the Caller ID field resulting in the mislabeling of calls across all attestations levels as "spam likely" or "something else not recognized by the called party."¹⁵ As indicated by Unified

¹³ See Brent Struthers, STI-GA Dir., ATIS, Presentation to North American Numbering Council (June 28, 2023), *available at* <https://www.fcc.gov/about-fcc/advisory-committees/general/north-american-numbering-council>.

¹⁴ See Reply Comments of INCOMPAS, WC Docket No. 17-97 (filed Jan. 23, 2023) (urging the Commission to promote the IP transition and encourage IP traffic exchange in order to increase the efficacy of the STIR/SHAKEN framework); Ex Parte Notice of NTCA—The Rural Broadband Association, WC Docket No. 17-97 (filed Feb. 28, 2023) (emphasizing the need to close the non-IP gap in the STIR/SHAKEN ecosystem that results in calls being received at the terminating end without authenticated caller identification).

¹⁵ See Letter of Glenn Richards, Counsel for Unified Office, Inc., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 17-97, 4-5 (filed June 21, 2023).

Office's CEO, Ray Pasquale, "[t]he resulting confusion over the labeling of calls is contributing to the loss of trust and confidence in our public communication network, which is the opposite of what the FCC had intended in this ruling."¹⁶ Unfortunately, the Unified Office comments illuminate that some of the most feared risks with adopting an entirely new blocking and labeling regime that dramatically reverses a number of the long-standing tenets of interoperability and traffic exchange are now a reality.

The "black box" of wireless carrier call analytics is a threat to the Commission's efforts to ensure that calls are delivered in a non-discriminatory and competitively neutral manner and it is becoming clearer that these analytics are deployed unevenly and without transparency and accountability. Indeed, the continued lack of effective feedback to upstream providers from terminating providers and their analytics companies disclosing both blocking and call presentation determinations is significantly impacting the health and future viability of the entire PSTN. An overzealous focus on robocalling without oversight and accountability at the terminating end threatens to undo decades of competition, innovation, and consumer benefits that sprung from the Telecommunications Act of 1996.

In conclusion, rather than take premature regulatory action against third-party authentication arrangements, the Commission should instead seek to fully analyze some of the discrete, standardized marketplace solutions that are currently available (*e.g.* more effective use of "origID"). The industry's implementation of STIR/SHAKEN is only now beginning to take hold. INCOMPAS urges the Commission to allow the framework to evolve while also seeking greater transparency into terminating providers' STIR/SHAKEN and call presentation practices.

¹⁶ *Id.* at 5.

Respectfully submitted,

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