

**Committee on Energy and Utilities Finance and Policy**  
**Chairman David Osmeck**  
**Thursday, February 21, 2019**  
**1:00 PM, Room 1150, Minnesota Senate Bldg.**

**Agenda**

1. Call to order
2. **SF 297 Dziejdzic - Green roof advisory task force establishment and appropriation**  
  
Liz Lucente, MnSEIA's Program Director  
Forrest Cyr MNLA Government affairs director
3. **SF 1424 Dibble - Solar on schools grant program establishment and appropriation**  
  
David Shaffer, MnSEIA Executive Director  
Jim Dellwo, Director of Operations: Transportation, Health & Safety, Prior Lake-Savage  
Public Schools
4. **SF 907 Tomassoni - Commercial telephone solicitation caller ID blocking or altering prohibition**
5. Adjourn

On May 2, 2018, at 10:51, pheon <[pheon@frontier.com](mailto:pheon@frontier.com)> wrote:

SF 907

Senator,

I'd like you to try to help me. I'm getting many calls (often waking me up). I'm on the federal Do Not Call list, have been since it started. These people claim that I contacted them online, when I haven't. This morning, for example, was a company saying I'd asked for help applying for Social Security Disability. I'm a 100% Disabled Veteran and was awarded my Social Security Disability in 1995, which was backdated to the date I was discharged.

On top of this they often use robo-dialers and even if they give you an option (which they often don't) to "press three if you no longer want these calls" they keep calling. ALSO they are constantly using false caller ID numbers, once they called me using my own number, and another time they called using my ex-wife's number, about 3 days after she'd had her phone disconnected to go entirely Cell.

If you could enter a bill that forbid the use of robo-dialers, if a person has to be on the phone when I pick it up, I think it will cut a lot of the crap out, as they'd have to pay someone rather than just set up a computer to dial as fast as it can. ALSO outlaw the use of blocked or altered Caller ID for anyone calling to solicit business, or contributions (either charity OR political), if they don't want me to know who/what/where they are they are not trustworthy enough to ask for my money or even my time.

I hope you can help, these @\$sh0les woke me up again today, 3 times this week (and it's only Wednesday!).

phs.

afsholt  
an Horn Rd  
MN 55736

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of

Advanced Methods to Target and Eliminate  
Unlawful Robocalls

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)  
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CG Docket No. 17-59

**REPLY COMMENTS OF THIRTY-FIVE (35) STATE ATTORNEYS GENERAL**

The undersigned State Attorneys General<sup>1</sup> (“State AGs”) submit these Reply Comments in response to the public notice issued by the Consumer and Governmental Affairs Bureau (“Bureau”), seeking to refresh the record on how the Federal Communications Commission (“FCC”) can further empower service providers to block illegal calls.<sup>2</sup> The State AGs have reviewed the comments submitted by voice service providers, consumer advocacy groups, consumers, private businesses, and other interested parties in the industry. In reply, the State AGs continue to support the FCC’s efforts to identify new ways to enable providers to block illegal calls before they ever reach consumers.

In the future, the State AGs encourage the FCC to adopt new rules authorizing voice service providers to block illegally spoofed<sup>3</sup> calls beyond what is currently authorized in the 2017 Call Blocking Order.<sup>4</sup> Likewise, we encourage all providers to use all available tools to accurately identify illegal calls, including continually monitoring call traffic patterns<sup>5</sup> to develop and refine criteria for identifying such calls; and continually updating and developing technology in the event current systems and solutions become obsolete. In addition, providers who offer blocking or labeling tools should distribute to consumers – especially seniors – adequate information about the availability of these tools, how they function, and what effect they can have.

The State AGs intend to continue our fight against illegal robocalls and abusive calling practices on the front lines – by providing public education and outreach, receiving and responding to individual consumer complaints, and taking appropriate enforcement action when possible. We

will continue to do everything possible to track down and hold accountable those who engage in illegal calling practices. The State AGs recognize that no single tool or method will solve this serious consumer problem. Therefore, we are committed to continuing our multi-pronged attack of working closely with all interested parties, including our federal counterparts and members of the telecommunications industry.

**A. Law Enforcement Alone Will Not Solve the Robocall Problem**

Our respective Consumer Protection Offices receive and respond to tens of thousands of consumer complaints each year concerning the disruptive and abusive nature of these calls.<sup>6</sup> We then attempt to identify and target potential wrongdoers. However, it is common for our efforts to be frustrated, as these types of calls travel through a maze of smaller providers. If the calling party is found at all, he or she is most often located overseas, making enforcement difficult. Due to the nature of this problem, investigations and enforcement actions cannot serve as the sole solution.

Virtually anyone can send millions of illegal robocalls and frustrate law enforcement with just a computer, inexpensive software (i.e., auto-dialer and spoofing programs), and an internet connection. Because “technology enables a cheap and scalable model,”<sup>7</sup> illegal robocalls remain the “number one consumer complaint”<sup>8</sup> for many of our Consumer Protection Offices, the FCC, and the Federal Trade Commission (“FTC”). Despite the 2017 Call Blocking Order, which increased providers’ ability to block illegally spoofed calls, the robocall problem appears to be getting worse.

**B. The Impact to Consumers Is Increasingly Widespread and Deleterious**

Based on available data, the number of illegal robocalls, and corresponding consumer complaints,<sup>9</sup> increases every year. Last year, reports reflect that American landline and wireless subscribers received an estimated 30.5 billion illegal robocalls.<sup>10</sup> This figure is up from the 2016 estimate of 29.3 billion illegal robocalls.<sup>11</sup> By the end of this year, the industry expects a 33%

increase, meaning spammers and scammers are going to disrupt our children's homework, our dinner, our relaxation time, and even our sleep, to the tune of over 40 billion illegal robocalls.<sup>12</sup>

Non-consensual robocalling in the telemarketing context is abusive and unlawful in and of itself.<sup>13</sup> Many illegal robocallers, however, simply do not care about the law and have a more insidious agenda – casting a net of illegal robocalls to ensnare vulnerable victims in scams to steal money or sensitive, personal information. In fact, reports indicate, of the 4 billion illegal robocalls made just this past August, 1.8 billion were associated with a scam.<sup>14</sup> Strikingly, criminals are estimated to have stolen 9.5 billion dollars from consumers through phone scams in 2017.<sup>15</sup> If reports are accurate, scammers could potentially take even more in 2018.

Sadly, the fraud perpetrated by those employing illegal robocalls and other abusive calling practices falls heavily upon the shoulders of our respective senior populations. One year ago, on October 4, 2017, Pennsylvania Attorney General Josh Shapiro testified before the United States Special Committee on Aging with respect to protecting the elderly from financial exploitation.<sup>16</sup> In his testimony before the Committee, and in a letter to the FCC sent shortly thereafter, Attorney General Shapiro highlighted the urgent need for the FCC to combat illegal robocalls, beginning with adopting rules allowing providers to block specific calls used in spoofing.<sup>17</sup>

### **C. Fraudsters Evolved to Evade the 2017 Call Blocking Order**

On July 6, 2017, a bipartisan coalition of 30 state attorneys general submitted a comment, encouraging the FCC to adopt rules allowing providers to block calls from numbers on do-not-originate lists and from numbers that are invalid, unallocated, or unused.<sup>18</sup> On November 17, 2017, the FCC released the 2017 Call Blocking Order, wherein it adopted rules allowing providers to block calls from these types of phone numbers, as they are used in spoofing. However, all concerned parties knew the new rules would not act as a 'cure-all' to the robocall epidemic. Soon after the 2017 Call Blocking Order was released, forty (40) state attorneys general formed the bipartisan, Robocall

Technologies Working Group in order to work together, and with providers, to understand the technological advancements, as well as the barriers, in combatting fraudsters' evolving methods.

One specific method which has evolved recently is a form of illegal spoofing called 'neighbor spoofing.'<sup>19</sup> A neighbor-spoofed call will commonly appear on a consumer's caller ID with the same area code and local exchange as the consumer to increase the likelihood he/she will answer the call.<sup>20</sup> In addition, consumers have recently reported receiving calls where *their own phone numbers* appeared on their caller ID. A consumer who answered one such call reported the caller attempted to trick her by saying he was with the phone company and required personal information to verify the account, claiming it had been hacked.<sup>21</sup> Scams like this cannot be tolerated. We can and must do more to block illegally spoofed calls before they ever reach consumers. The State AGs encourage the FCC to adopt rules authorizing providers to block these and other kinds of illegally spoofed calls.

#### **D. STIR/SHAKEN Is Welcome Progress**

Those concerned with battling illegal robocalls and illegal spoofing have been waiting for voice service providers to fully implement the STIR (Secure Telephone Intity Revisited) and SHAKEN (Secure Handling of Asserted information using toKENs)<sup>22</sup> protocols – frameworks that service providers can utilize to authenticate legitimate calls and identify illegally spoofed calls. The State AGs see the industry is making progress concerning this initiative. On September 13, 2018, the Alliance for Telecommunications Industry Solutions (“ATIS”)<sup>23</sup> filed a letter<sup>24</sup> at this docket announcing the launch of the Secure Telephone Identity Governance Authority (“STI-GA”), which is designed to ensure the integrity of the STIR/SHAKEN protocols. With the launch of the Governance Authority, the remaining protocols can be established. Reports indicate STIR/SHAKEN will be operational by some carriers throughout next year.<sup>25</sup>

We strongly recommend the FCC explore ways to encourage all domestic and international service providers to aggressively implement STIR/SHAKEN. The capability to identify illegally

spoofed, scam calls will increase in proportion to the number of providers who adopt the STIR/SHAKEN protocols.<sup>26</sup> This is a positive step forward and we hope that as the implementation of STIR/SHAKEN continues to progress, the relevant participants, including the Governance Authority, will keep consumer organizations and the State AGs fully informed of their progress.

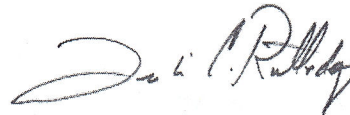
**E. Conclusion – The Government and Industry Must Continue to Collaborate and Innovate**

The pervasiveness of illegal robocalls and scam calls is a problem that cannot be solved by any one method, including the STIR/SHAKEN initiative. We, the undersigned State Attorneys General, need to continue to work together and in collaboration with our federal counterparts and the telecommunications industry to identify and implement new methods to combat the proliferation of these illegal acts. Also, we encourage the FCC to implement additional reforms, as necessary, to respond to technological advances that make illegal robocalls and illegal spoofing such a difficult problem to solve. Only by working together, and utilizing every tool at our disposal, can we hope to eradicate this noxious intrusion on consumers' lives.

**BY THIRTY-FIVE (35) STATE ATTORNEYS GENERAL:**



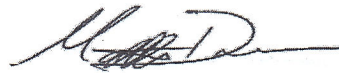
MARK BRNOVICH  
Attorney General of Arizona



LESLIE RUTLEDGE  
Attorney General of Arkansas



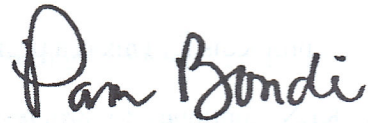
GEORGE JEPSEN  
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MATTHEW P. DENN  
Attorney General of Delaware



KARL A. RACINE  
Attorney General of the District of Columbia



PAM BONDI  
Attorney General of Florida



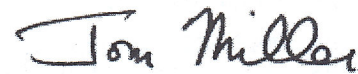
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Attorney General of Illinois



CURTIS HILL  
Attorney General of Indiana



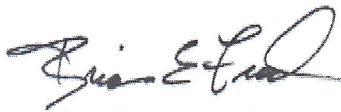
THOMAS J. MILLER  
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DEREK SCHMIDT  
Attorney General of Kansas



JEFF LANDRY  
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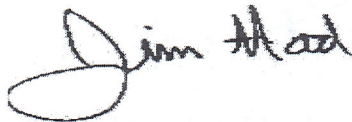
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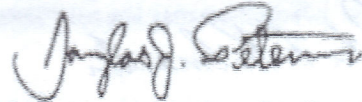
LORI SWANSON  
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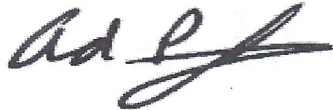
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TIM FOX  
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DOUGLAS J. PETERSON  
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ADAM PAUL LAXALT  
Attorney General of Nevada



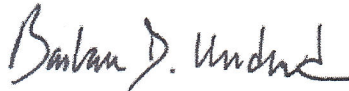
GORDON MACDONALD  
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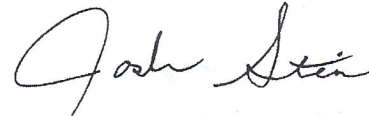
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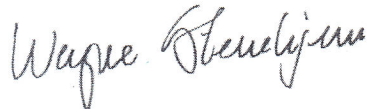
HECTOR BALDERAS  
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BARBARA D. UNDERWOOD  
Attorney General of New York



JOSH STEIN  
Attorney General of North Carolina



WAYNE STENEHJEM  
Attorney General of North Dakota



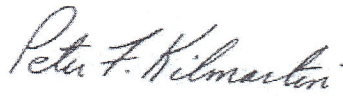
MIKE HUNTER  
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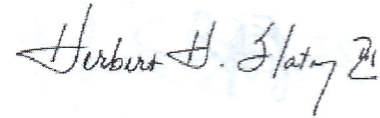
ELLEN F. ROSENBLUM  
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JOSH SHAPIRO  
Attorney General of Pennsylvania



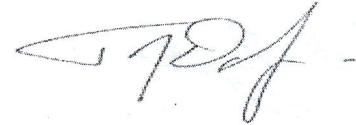
PETER F. KILMARTIN  
Attorney General of Rhode Island



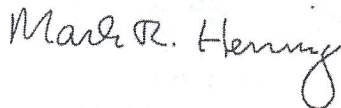
HERBERT H. SLATTERY III  
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SEAN D. REYES  
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Counsel for the State of Utah and  
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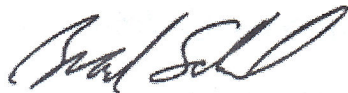
THOMAS J. DONOVAN, JR.  
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BOB FERGUSON  
Attorney General of Washington



BRAD D. SCHIMEL  
Attorney General of Wisconsin

DATE: OCTOBER 8, 2018

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<sup>1</sup> Hawaii is represented in this matter by its Office of Consumer Protection, an agency which is not part of the state Attorney General's Office, but which is statutorily authorized to undertake consumer protection functions, including legal representation of the State of Hawaii. For simplicity purposes, the entire group will be referred to as the "Attorneys General" or individually as "Attorney General" and the designations, as they pertain to Hawaii, refer to the Executive Director of the State of Hawaii's Office of Consumer Protection.

<sup>2</sup> *Advanced Methods to Target and Eliminate Unlawful Robocalls*, Public Notice, CG Docket No. 17-59, August 10, 2018. Bureau Seeks to Refresh the Record ("Public Notice").

<sup>3</sup> Caller ID spoofing is when a caller deliberately falsifies the information transmitted to your caller ID display to disguise their identity. See <https://www.fcc.gov/consumers/guides/spoofing-and-caller-id>.

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<sup>4</sup> *Advanced Methods to Target and Eliminate Unlawful Robocalls, Report and Order and Further Notice of Proposed Rulemaking*, CG Docket No. 17-59, November 17, 2017 (“2017 Call Blocking Order”) (FCC adopted rules allowing providers to block calls from phone numbers on a do-not-originate (“DNO”) list and calls from invalid, unallocated, or unused numbers).

<sup>5</sup> Here we are referring to the patterns that emerge from the analyzing of call data, including but not limited to, call completion rates, average call durations, call volumes, times at which calls are placed, and sequential dialing patterns.

<sup>6</sup> See *Advanced Methods to Target and Eliminate Unlawful Robocalls*, Comment of 30 State Attorneys General, CG Docket No. 17-59, filed July 6, 2017, pg. 1, 2, footnote 4 (number of consumer complaints from a sampling of States who signed on to the comment).

<sup>7</sup> See <https://www.consumer.ftc.gov/articles/0381-how-does-robocall-work-infographic>.

<sup>8</sup> See *Advanced Methods to Target and Eliminate Unlawful Robocalls*, Notice of Proposed Rulemaking and Notice of Inquiry, CG Docket No. 17-59, March 23, 2017, Statement of Chairman Ajit Pai. See also FTC Do Not Call Registry Data Book for Fiscal Year 2017 (over 4.5 million robocall complaints as opposed to approximately 2.5 million “live caller” complaints).

<sup>9</sup> See <https://www.ftc.gov/policy/reports/policy-reports/commission-staff-reports/national-do-not-call-registry-data-book-fy-2>. In 2014, the FTC received approximately 1.7 million illegal robocall complaints. In 2015, the number of complaints rose to over 2.1 million. In 2016, the number climbed to approximately 3.4 million complaints. Last year, the FTC received 4.5 million illegal robocall complaints.

<sup>10</sup> See <https://www.cbsnews.com/news/how-to-stop-robocalls-those-annoying-automated-phone-calls-are-about-to-get-worse/>. See also <https://www.prnewswire.com/news-releases/robocall-epidemic-breaks-annual-record-with-305-billion-calls-in-2017-300580916.html>.

<sup>11</sup> See <https://www.prnewswire.com/news-releases/robocall-epidemic-breaks-annual-record-with-305-billion-calls-in-2017-300580916.html>.

<sup>12</sup> *Id.*

<sup>13</sup> 16 C.F.R. § 310.4(b)(1)(v) (abusive telemarketing act or practice, and violation of *Telemarketing Sales Rule*, to initiate an outbound telephone call that delivers a prerecorded message).

<sup>14</sup> See <https://www.cbsnews.com/news/how-to-stop-robocalls-those-annoying-automated-phone-calls-are-about-to-get-worse/>.

<sup>15</sup> See <https://blog.truecaller.com/2017/04/19/truecaller-us-spam-report-2017/>.

<sup>16</sup> Attorney General Shapiro shared a story of a Pennsylvania senior who fell victim to the “IRS scam.” In the scammer’s initial call to the senior, the caller ID displayed a number for the Pennsylvania State Police. The spoofing of government agency phone numbers to facilitate scams is all too common. See for example <https://www.fbi.gov/contact-us/field-offices/philadelphia/news/press-releases/phone-scam-uses-threats-spoofed-fbi-phone-numbers>.

<sup>17</sup> 2017 Call Blocking Order, pg. 1, footnote 3 (Noting Attorney General Shapiro’s letter encouraging the FCC to move forward quickly to implement the rules).

<sup>18</sup> See *Advanced Methods to Target and Eliminate Unlawful Robocalls*, Comment of 30 State Attorneys General, CG Docket No. 17-59, filed July 6, 2017.

<https://www.fcc.gov/consumers/guides/spoofing-and-caller-id>.

<sup>19</sup> In 2017, reports of caller ID spoofing, as well as neighbor spoofing have increased from previous years. See *Biennial Report on Consumer Protection* Under the Do Not Call Registry Fee Extension Act of 2007, FTC, December 2017.

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<sup>21</sup> See <https://philadelphia.cbslocal.com/2018/04/11/scam-own-phone-number-calls/>.

<sup>22</sup> See <https://transnexus.com/whitepapers/understanding-stir-shaken/>. See also Robocall Strike Force Report, October 26, 2016, pg. 5, (“The premise of STIR/SHAKEN is that telephone calls and the telephone numbers associated with the calls, when they are originated in a service provider network can be authoritatively and cryptographically signed by the authorized service provider, so that as the telephone call is received by the terminating service provider, the information can be verified and trusted. This set of industry standards is intended, as it is more fully deployed into the VoIP based telephone network, to provide a basis for verifying calls, classifying calls, and facilitating the ability to trust caller identity end to end. Illegitimate actors can then be more easily and quickly identified with the hope that telephone fraud is reduced significantly. While industry members believe that the SHAKEN framework holds considerable promise for repressing the presence of robocalling in the communications ecosystem, the Strike Force recognizes that the nature of bad actors and their tactics to harass consumers with unwanted robocalls and fraudulent, spoofed Caller IDs are ever changing and adapting. Further, carriers are at various stages of transitioning to IP-enabled networks and SHAKEN fundamentally depends upon IP network technologies.”)

<sup>23</sup> See <https://www.atis.org/> (“ATIS is a forum where the information and technology companies convene to find solutions to...shared challenges.”).

<sup>24</sup> See *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-59, Letter, ATIS, September 13, 2018.

<sup>25</sup> See *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-59, *ex parte filings*, Verizon (5/7/18), Comcast (5/18/18), AT&T (5/16/18), and T-Mobile (5/24/18).

<sup>26</sup> See *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-59, Comments of T-Mobile USA, Inc., September 24, 2018, pg. 4.

STATE OF MINNESOTA  
BEFORE THE PUBLIC UTILITIES COMMISSION

David C. Boyd	Chair
J. Dennis O'Brien	Commissioner
Tom Pugh	Commissioner
Phyllis Reha	Commissioner
Betsy Wergin	Commissioner

Docket No. P-999/C-08-1391

In the Matter of the Department of Commerce  
Complaint Regarding Caller ID,  
CLASS-Related Services, "Caller ID  
Spoofing," "Vishing" and Caller ID  
"Unmasking" or "Call Trapping" Services

**REPLY COMMENTS OF THE OFFICE  
OF THE ATTORNEY GENERAL --  
RESIDENTIAL AND SMALL BUSINESS  
UTILITIES DIVISION**

The Office of the Attorney General - Residential and Small Business Utilities Division ("OAG") offers these Reply Comments in response to Initial Comments submitted in the above-referenced docket.

Nearly all parties submitting Initial Comments recognize the seriousness of Caller ID Spoofing and similar practices used to circumvent Caller ID service in an attempt to mislead, annoy or harm unsuspecting consumers. AT&T notes that the practice of Caller ID Spoofing has resulted in Caller ID technology being used to the detriment of consumers.<sup>1</sup> Qwest states that Caller ID Spoofing causes customer confusion and even anger among its customer base.<sup>2</sup> The Minnesota Telecom Alliance ("MTA") describes the anger and frustration of customers deceived by Caller ID as "fully understandable."<sup>3</sup> Indeed, as the OAG explained in its Initial Comments,

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<sup>1</sup> Initial Comments of AT&T at 2.

<sup>2</sup> Initial Comments of Qwest at 1.

<sup>3</sup> Initial Comments of the MTA at 1.

Caller ID Spoofing is becoming so prevalent that it undermines the ability of consumers to rely on Caller ID to reveal the true identity of the incoming call.<sup>4</sup>

In addition to the consumer impacts, a few Companies explain that Caller ID Spoofing negatively affects the providers of Caller ID as well.<sup>5</sup> Qwest explains that Caller ID Spoofing generates substantial consumer complaints and responding to these complaints consumes provider resources.<sup>6</sup> CenturyLink argues that local exchange carriers like CenturyLink “are as much victims of Caller ID Spoofing” as the end-user consumers.<sup>7</sup> Frontier explains that Caller ID Spoofing can financially harm providers because manipulation of Caller ID can result in traffic that should be charged as toll or long-distance traffic being made to appear as if it were local traffic.<sup>8</sup> Frontier also notes that Caller ID Spoofing has the effect of making Caller ID service unreliable, which Frontier acknowledges may diminish the service’s desirability to customers.<sup>9</sup> In this regard, the OAG notes that the practice of Caller ID Spoofing directly affects the public trust and confidence in the telecommunications industry.<sup>10</sup>

Despite the seriousness of the concerns related to Caller ID service, (a service these providers promote and for which they charge a fee) the providers of Caller ID take no responsibility for the accuracy and reliability of the Caller ID information delivered to their

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<sup>4</sup> Initial Comments of the OAG at 7.

<sup>5</sup> See Initial Comments of CenturyLink at 2-3 (stating that the issue of Caller ID Spoofing “is serious for both the end user and the terminating telephone company” and that “LECs such as CenturyLink are as much victims of Caller ID Spoofing as end users.”), Initial Comments of Qwest (noting that responding to consumer complaints regarding Caller ID spoofing consumes provider resources).

<sup>6</sup> Initial Comments of Qwest at 1.

<sup>7</sup> Initial Comments of CenturyLink at 3.

<sup>8</sup> Initial Comments of Frontier at 4.

<sup>9</sup> *Id.*

<sup>10</sup> Initial Comments of the OAG at 6.

customers.<sup>11</sup> The telecommunications entities that submitted Initial Comments all claim they currently do not have the technology to authenticate or verify the Caller ID information they receive from originating carriers. However, Qwest appears to indicate that creating such technology is possible.<sup>12</sup> Qwest asserts that developing the technology to validate Caller ID information may be costly and time-consuming.<sup>13</sup> Qwest further asserts, “There is no evidence that the cost of [developing such technology] would be commensurate with the current spoofing problem....”<sup>14</sup> Yet neither Qwest, nor any other telecommunications industry participant offers any evidence regarding the cost or feasibility of developing a technological solution to authenticate or verify Caller ID information. The record does contain, however, evidence that Caller ID Spoofing results in a wide range of harms to consumers, including intrusions of privacy and confidentiality breaches with potentially severe financial consequences.<sup>15</sup>

The industry wants the Commission to take a hands-off approach to the proliferation of a serious threat affecting all Minnesotans that subscribe to Caller ID service. Some parties even argue that the Commission should refrain from requiring companies to disclose to their customers that Caller ID can be manipulated in a manner that makes the information displayed on Caller ID potentially misleading, inaccurate and unreliable. Qwest argues that it “should not be burdened with customer education costs.”<sup>16</sup> The MTA argues that local exchange carriers (“LECs”) “do not and should not bear an obligation to inform customers of the possibility of

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<sup>11</sup> Integra does acknowledge providers are responsible for the establishment and transmission of accurate Caller ID information of their customers and the calls originating on and/or transiting their networks and the delivery of the Caller ID information they receive via the SS7 network.

<sup>12</sup> Initial Comments of Qwest at 4-5.

<sup>13</sup> *Id.* at 4.

<sup>14</sup> *Id.*

<sup>15</sup> See Comments of the Department of Commerce (August 12, 2009) at 6-9, Initial Comments of the OAG at 2-6.

<sup>16</sup> Initial Comments of Qwest at 6.

deception....”<sup>17</sup> Integra similarly argues that the Commission should not impose any additional requirements on telecommunications providers.<sup>18</sup> In sum, the industry acknowledges that Caller ID service can be used to the detriment of its customers, but not one company is willing to inform its customers of the severe limitations of the service for which they promote and charge a fee. The Companies are unwilling to take meaningful steps to protect their customers from harms resulting from the manipulation of Caller ID service provided by the Companies.

The issue of Caller ID Spoofing deserves more exploration than the telecommunications industry was willing to offer in its Initial Comments. Notably, no entity submitting Initial Comments directly challenged the Commission’s authority to require local service providers to provide accurate Caller ID service. The OAG reiterates its position that the Commission has continuing authority over the CLASS services offered by telephone companies in this state. The Commission can impose necessary safeguards and restrictions to ensure that Caller ID and related CLASS services maintain their public interest benefit.<sup>19</sup>

The OAG recommends that the Commission continue its effort to determine whether a technological solution to Caller ID Spoofing is feasible. It should be the Commission, not the industry, which determines whether the costs associated with a technological solution outweigh the public benefit of accurate and reliable Caller ID information. Until such a solution is implemented, the OAG recommends that regulatory entities, as well as Caller ID providers, educate consumers about the severe limitations of Caller ID service.

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<sup>17</sup> Initial Comments of MTA at 9.

<sup>18</sup> Initial Comments of Integra at 4.

<sup>19</sup> Initial Comments of the OAG at 8-9.

Dated: March 10, 2010

Respectfully submitted,

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\_\_\_\_\_  
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STATE OF MINNESOTA  
BEFORE THE PUBLIC UTILITIES COMMISSION

David C. Boyd	Chair
J. Dennis O'Brien	Commissioner
Tom Pugh	Commissioner
Phyllis Reha	Commissioner
Betsy Wergin	Commissioner

In the Matter of the Department of Commerce  
Complaint Regarding Caller ID, CLASS-  
Related Services, "Caller ID Spoofing,"  
"Vishing" and Caller ID "Unmasking" or "Call  
Trapping" Services

Docket No. P-999/C-08-1391

**COMMENTS OF THE OFFICE OF THE  
ATTORNEY GENERAL -- RESIDENTIAL  
AND SMALL BUSINESS UTILITIES  
DIVISION**

**I. INTRODUCTION.**

The Office of the Attorney General -- Residential and Small Business Utilities Division ("OAG") offers these Comments in response to the Minnesota Public Utilities Commission's ("Commission") January 8, 2010 Notice Requesting Comments in the above-entitled matter. It is imperative that the Commission and other stakeholders work to curb the practice of Caller ID Spoofing and other similar practices used by people attempting to avoid detection by falsifying Caller ID information. To that end, the OAG offers these Comments to the questions posed by the Commission in its January 8, 2010 Notice.

**II. BACKGROUND.**

The OAG has received hundreds of complaints from Minnesotans who received one or more telephone calls from individuals or entities who falsified the telephone number of the incoming call ("Caller ID Spoofing"). The volume of complaints is indicative of the pervasiveness of the problem.

The Department of Commerce's August 12, 2009 Comments detail the various ways Caller ID is manipulated and misused to intrude on citizens' privacy and attempt to cause financial harm.<sup>1</sup> The following summaries of complaints received by the Minnesota Attorney General's Office illustrate the need for the Commission to direct the telecommunications industry to use all necessary means to combat the proliferation of Caller ID Spoofing and similar practices used to circumvent consumers' Caller ID service.

**A. Telephone Solicitors Masquerading As Innocent Individuals and Legitimate Businesses.**

Some unscrupulous individuals prevent disclosure of their true identity by manipulating Caller ID data to instead transmit the identity of other innocent parties. For example, a citizen from Mounds View, Minnesota contacted this Office after callers offering bogus car warranties transmitted his home telephone number to make telephone solicitations to consumers. The citizen received 400 - 500 "return" calls from consumers who had received these solicitations, many of whom were unhappy about receiving the unwanted solicitations.

Similarly, a family-owned business reported that a debt collection agency displayed the family-owned business's telephone number when making harassing debt collection calls. The innocent business owner reported that the calls were tarnishing the company's reputation and frustrating employees who had to answer calls from consumers attempting to reach the debt collection agency. The business understandably wanted to prevent the continued unauthorized use of its telephone number.

In another case, an individual citizen from Hawley, Minnesota received numerous unwanted solicitations from individuals also promoting car warranties. The citizen's Caller ID

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<sup>1</sup> COMMENTS OF THE DEPARTMENT OF COMMERCE, *In the Matter of the Department of Commerce's Complaint regarding Caller ID, CLASS related services, "Caller ID Spoofing," "Vishing" and Caller ID "unmasking" or "call trapping" services*, Docket No. P-999/C-08-1391, (August 12, 2009) ("Department's Comments") at 6-9.

inaccurately indicated that the solicitors were calling from numbers associated with entities such as the State Employees Federal Credit Union in New York and Humana Healthcare. The citizen was unable to contact the actual persons responsible for the calls because the callers were avoiding detection by manipulating the Caller ID information to appear to be coming from legitimate businesses.

**B. Solicitors Manipulating Caller ID Data To Market Goods and Services.**

Citizens also report receiving telemarketing calls from scam artists and entities promoting bogus services such as companies offering to lower credit card interest rates or consolidate debt. These callers mask their true calling numbers so that the telephone numbers identified by the citizens' Caller ID are not traceable to the entities making the calls. As a result, the citizens cannot make do-not-call requests to protect themselves from further intrusions by the solicitors.

For example, a citizen from Bemidji, Minnesota reported that he and his wife received numerous annoying and intrusive calls from a company that identified itself as "Consumer Financial Services." The citizen's Caller ID displayed at least seven different numbers associated with this caller. When this Office called the numbers reported by the citizen's Caller ID, the Office received home residences' answering machines, a cellular phone voice mail, a fax machine, an elderly person, and numbers that had been disconnected. Unsurprisingly, none of the numbers were associated with "Consumer Financial Services."

Another citizen from Eagan, Minnesota reported receipt of a call that was identified by his Caller ID as coming from "VA Medical Center." The caller was in fact an alleged interior design service that wanted to stop by for a consultation. An attempt to contact the supposed "design" company at the number identified by the citizen's Caller ID was unsuccessful, as the number was disconnected.

A citizen from Andover, Minnesota contacted this Office after numerous, unsuccessful attempts to be removed from the calling list of an entity identifying itself as “National Health Care.” The citizen had repeatedly asked the solicitors to remove her name from its call list without avail. The citizen’s attempts to return the unwanted calls at the number identified by her Caller ID were unsuccessful, as the number identified was not a valid number. The calls were persistent, intrusive and annoying.

In another case, a citizen from St. Paul, Minnesota reported receiving a call from the “PSAT/ACT Merit Scholarship Award Organization.” The caller implied that the “organization” was affiliated with her child’s school. After providing the caller with her credit card number, the citizen learned that the organization, in fact, had no affiliation with her child’s school. Because the caller manipulated the citizen’s Caller ID information, the citizen was unable to contact the responsible party. Fortunately, the citizen was able to cancel her credit card before incurring charges.

**C. Callers Circumventing Caller ID In An Attempt To Cause Financial Harm Or Steal The Identity Of Unsuspecting Consumers.**

Caller ID Spoofing results in a wide range of impacts on consumers, including confidentiality breaches with potentially severe financial consequences.<sup>2</sup> The Minnesota Attorney General’s Office has received reports from citizens documenting instances of attempted confidentiality breaches through the use of Caller ID Spoofing. For example, a citizen from Fridley, Minnesota received a call from “National Solutions,” an entity that purportedly provided debt collections services for a major national credit card company. The “National Solutions” representative asked to confirm the citizen’s credit card number, but the citizen refused the request. Instead, the citizen contacted the credit card company directly and learned that there

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<sup>2</sup> Department’s Comments at 7.

were no concerns with his credit card balance. When this Office called the number that the citizen's Caller ID associated with the call, the number was not in service.

Scores of citizens' report receiving unwanted calls from entities identifying themselves as "Credit Services" or "Credit Card Services." One citizen from Elk River, Minnesota reported that he received numerous unwanted calls from "Credit Services" even though he is on the National Do Not Call Registry. In each instance, the "Credit Services" callers requested the citizen's credit card number, expiration date and three-digit security code. Fortunately, the perceptive citizen refused to provide the requested information. When the citizen dialed the numbers displayed on his Caller ID, he only received disconnection notices or busy signals.

Another concerned citizen from Minneapolis, Minnesota informed this Office that she was awoken at 1:13 a.m. by a telephone call containing a prerecorded message from an entity identifying itself as "City County Federal Credit Union." The message warned the citizen that unauthorized access to her account had occurred and instructed her to press "1" to address the concern. After pressing "1" as instructed, the citizen received a second message asking for three pieces of personal information, including her 16-digit debit card number. The citizen, who recognized the call to be a fraud, dialed \*69 (last call return) the following morning to ascertain the number associated with the middle-of-the-night scam. This Office placed several calls to the telephone number, but each time received a message that all circuits were busy.

Another example of attempted identity theft using false Caller ID information was reported by a citizen from Pine Island, Minnesota who received numerous calls from individuals who identified themselves as Wells Fargo representatives calling in regards to delinquent accounts. The callers requested the citizen's credit card numbers. While the citizen had checking and savings accounts with Wells Fargo, the citizen did not have a Wells Fargo credit

card or debit card and fortunately refused to provide the requested credit card numbers. An investigation by this Office uncovered that the number on the citizen's Caller ID associated with the calls was indeed a valid Wells Fargo number. The citizen followed-up the calls by contacting her Wells Fargo branch and learned that there was not a valid reason for the calls.

### III. COMMISSION'S INQUIRIES.

In its January 8, 2010 Notice of Comment Period, the Commission directed interested parties to address ten separate inquiries. The Commission appropriately posed many of the questions directly to telecommunications providers. Telecommunications providers should be required to take all necessary steps to combat the practice of Caller ID Spoofing and similar related practices used to circumvent the Caller ID service. The impact of these practices directly affects the public trust and confidence in the telecommunications industry.<sup>3</sup> The OAG provides the following responses to a number of the Commission's inquiries.

**Commission Inquiry No. 2:** Does the solution to Caller ID Spoofing belong with the providers of Caller ID and other CLASS services?

Yes. The providers of Caller ID and other CLASS<sup>4</sup> services are in the best position to curtail these calls.

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<sup>3</sup> The OAG will review the comments from the industry and, where appropriate, address their comments in the OAG's Reply Comments.

<sup>4</sup> CLASS Services are defined in Minn. Stat. § 237.75 as follows: For purposes of this section "CLASS" or "custom local area signaling service" means a custom calling telephone service that is enabled through the installation or use of Signaling 7 or similar signaling system and that includes at least the following features:

- (1) automatic callback;
- (2) automatic recall;
- (3) calling number delivery, commonly known as "Caller Identification";
- (4) calling number delivery blocking;
- (5) customer originated call tracing;
- (6) distinctive ringing/call waiting;
- (7) selective call acceptance;
- (8) selective call forwarding;
- (9) selective call rejection.

Callers who use Caller ID Spoofing to mask their identities are usually criminals with little to no regard for the law. Many of the Caller ID Spoofing complaints reported to this Office are from citizens who received telephone solicitations despite having previously placed their names on the National Do Not Call Registry. Further, many, if not all of these telephone solicitations were made in violation of Minnesota Statutes section 325E.312, subdivision 3, which prohibits interference with caller identification services in telephone solicitations made to residential customers.<sup>5</sup> Thus, current laws exist that prohibit the practice of Caller ID Spoofing, but these laws are ignored by the callers employing Caller ID Spoofing technology.

The providers of Caller ID and other CLASS services are in the best position to advance a technological solution to prevent the manipulation of services that they promote and for which they charge a fee. If calling party information cannot be authenticated by the provider, then the customers' Caller ID should not display any identifying information that could potentially mislead the consumer into answering the incoming telephone call. Rather, the Caller ID should indicate that the number is not verifiable or unknown.

**Commission Inquiry No. 3:** What responsibility do telecommunications providers offering CLASS services to their customers have to ensure that the information provided to customers is accurate, and that the service(s) can be relied upon?

Caller ID Spoofing is becoming so prevalent that it undermines the ability of consumers to rely on Caller ID to reveal the true identity of the caller. There is little public benefit in allowing telecommunications providers to offer and charge for Caller ID and other CLASS services that are misleading, inaccurate, and unreliable. Indeed, when the Commission initially examined whether the provision of CLASS services was in the public interest, the Commission

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<sup>5</sup> Pursuant to Minn. Stat. § 325E.316 subd. 1, the Commissioner of Commerce has the authority to enforce Minn. Stat. § 325E.312 and, among other things, is given the power to impose a civil penalty to a maximum of \$1,000 for each solicitation that violates section 325E.312.

stated that the purpose of CLASS services "is to make local service more responsive to contemporary needs for greater control over incoming calls."<sup>6</sup> Presumably, when the Commission weighed the public benefit of CLASS services against potential drawbacks, the Commission inferred that the services in question would provide accurate and reliable information to give customers greater control over incoming calls.

It has now become obvious that Caller ID service is often misleading, inaccurate, and unreliable. Telecommunications providers that deliver inaccurate source telephone numbers are not complying with the intention of the Commission's Order authorizing the provision of CLASS services. In order to comply with the Commission Order, telecommunications providers must only transmit Caller ID information that can be verified and authenticated as the true source of the incoming call. Telecommunications providers that promote and charge for a service that purportedly transmits the calling party's identity to consumers should ensure that the information is accurate and reliable.

**Commission Inquiry No. 8:** Are there any limitations on the authority of the Commission to require local service providers to provide accurate CLASS services?

No. Minnesota Statutes section 237.75, subd. 4 instructs: "[B]y January 1, 1994, the commission shall determine the terms and conditions under which CLASS services may be provided by telephone companies in this state." In Commission Docket No. P-999/CI-92-992, the Commission found that the benefits of CLASS services outweighed their drawbacks and that CLASS services "were in the public interest, subject to regulatory safeguards to protect vulnerable persons...."<sup>7</sup> Nothing in the statute nor in the Commission's Order restricts the

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<sup>6</sup> ORDER AFTER RECONSIDERATION, In the Matter of a Commission Initiated Investigation into the Provision of Custom Local Area Signaling Services in Minnesota, Docket No. P-999/CI-92-992 (December 3, 1993) at 11.

<sup>7</sup> ORDER AFTER RECONSIDERATION, (December 3, 1993) at 2.

Commission from altering the terms and conditions for offering CLASS services. Further, because the Commission has the authority to allow local service providers to offer CLASS services, subject to regulatory safeguards, it follows that the Commission has the authority to impose additional, necessary safeguards as technology evolves to ensure that the offering is not “misleadingly inaccurate” or able to be “deliberately exploited to harm subscribers.”<sup>8</sup>

**Commission Inquiry No. 9:** What additional actions, if any, should the Commission take to protect vulnerable Minnesotans from harm caused or enabled by Caller ID Spoofing?

Caller ID Spoofing and similar practices used to circumvent Caller ID services may relate to another recurring consumer protection concern -- the practice of “cramming.”<sup>9</sup> Cramming refers to the placement of charges for a third-party’s goods or services on a customer’s telephone bill without the customer’s consent. Crammers may elect to use telemarketing as a means to solicit authorization for goods and services that are ultimately crammed on consumers’ telephone bills.

In order to prevent a possible resulting harm caused by Caller ID Spoofing, the inadvertent payment of charges for crammed goods and services provided by third-parties that utilize Caller ID Spoofing, the Commission could order that local telephone companies permit consumers to block third-party charges from being included on their telephone bill. Permitting a consumer to instruct his or her telephone carrier to reject any third-party charges would force third-party crammers to bill the consumer directly.

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<sup>8</sup> Department’s Comments at 9.

<sup>9</sup> Martin Moylan, *Qwest, Regulators Take Aim at ‘Cramming’*, Minnesota Public Radio NewsQ, (January 25, 2010)  
<<http://minnesota.publicradio.org/display/web/2010/01/25/qwest-cramming/>>

**Commission Inquiry No. 10:** What other questions or factors should the Commission consider in determining how to proceed with respect to Caller ID Spoofing?

The OAG notes that the service list attached to the Commission's Notice of Comments, while lengthy, did not include law enforcement agencies or Public Safety Answering Points (911 facilities). These entities may have a perspective on the issues addressed in this proceeding and could provide additional insight on the public safety concerns related to Caller ID Spoofing. The OAG encourages the Commission to seek input from these entities when determining how to proceed.

Further, as the OAG asserted in these Comments, a permanent solution to Caller ID Spoofing belongs with the providers of Caller ID and other CLASS services. The Commission solicited comments from all telecommunications providers serving Minnesota. Comments, however, are voluntary. In the event that the industry's response is not comprehensive, the Commission should mandate that all providers subject to the Commission's authority provide responses to the inquiries posed in the Commission's Notice.

#### IV. CONCLUSION.

Caller ID Spoofing is used most often by scam artists and criminals trying to mask their identities in an attempt to defraud citizens. The prevalence of Caller ID Spoofing to thwart the benefits of Caller ID means that citizens can no longer rely on Caller ID to paint a true picture of who is calling. Because telecommunications providers are in the best position to disallow Caller ID to display numbers that are fraudulent or inaccurate, the Commission should require the industry to develop effective solutions to this pervasive problem.

Dated: February 8, 2010

Respectfully submitted,

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*s/ William T. Stamets*  
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September 9, 2014

The Honorable Tom Wheeler  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Dear Chairman Wheeler,

The undersigned Attorneys General, on behalf of the millions of Americans regularly receiving unwanted and harassing telemarketing calls, formally request an opinion from the Federal Communications Commission (the "FCC") regarding telephone carriers' legal ability to implement call-blocking technology.

I. Background

On July 10, 2013, the U.S. Senate's Subcommittee on Consumer Protection, Product Safety, and Insurance (the "Subcommittee") held a hearing entitled "Stopping Fraudulent Robocall Scams: Can More Be Done?" During that hearing, representatives from US Telecom Association and CTIA-The Wireless Association testified that legal barriers prevented carriers from implementing advanced call-blocking technology to reduce the number of unwanted telemarketing calls. Examples of blocking technologies currently available include "NoMoRobo" for VOIP phones, developed by Aaron Foss, winner of the FTC's \$50,000 Robocall Challenge; "Call Control" for smart phones, developed by the Kedlin Company; and "Telemarketing Guard," developed by Primus Telecommunications Canada, Inc. for Canadian consumers. American consumers should not have to seek out piecemeal solutions—instead, carriers should make solutions more easily accessible to consumers.

During prepared statements at the 2013 hearing, the US Telecom representative stated:

"First, under existing laws . . . phone companies have a legal obligation to complete phone calls. These companies may not block or otherwise prevent phone calls from transiting their networks or completing such calls. The current legal framework simply does not allow [phone companies] to decide for the consumer which calls should be allowed to go through and which should be blocked."

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<http://www.naag.org/>

Thereafter, on August 16, 2013, Senator Claire McCaskill, chairwoman of the Subcommittee, sent a letter to the heads of US Telecom and CTIA-The Wireless Association. In this letter, Senator McCaskill asked for a “complete analysis of the challenges your industry foresees in implementing” call-blocking technologies.

On October 15, 2013, US Telecom responded to Senator McCaskill. In its response, US Telecom claimed that its members are subject to legacy common-carrier regulation and enforcement of the regulations by the FCC. US Telecom also alleged that “the FCC has concluded that call blocking is an unjust and unreasonable practice under section 201(b) of the Communications Act of 1934.” Indeed, US Telecom stated that if a phone carrier engages in call blocking, the FCC can assess a forfeiture of as much as \$150,000 for each violation, up to a total \$1,500,000 statutory maximum for a single act or failure to act.

Because solutions like NoMoRobo, Call Control, and Telemarketing Guard are call-blocking technologies, US Telecom concluded that the current legal framework prohibits its members from using them to protect their customers from unwanted robocalls.

## II. Request of the Attorneys General

State law enforcement officials are doing everything possible to track down and prosecute those that engage in illegal telemarketing. However, law enforcement cannot fight this battle alone. Call-blocking technology like NoMoRobo, Call Control, and Telemarketing Guard appears to be the first major advancement towards a solution.

Nonetheless, the telephone companies’ resistance to embrace call-blocking technology, as evidenced by US Telecom’s response to Senator McCaskill, raises important questions. If a solution to the nation’s illegal telemarketing problem is possible, it will require the private sector—including telephone carriers—to get involved. To that end, we respectfully request a formal opinion from the FCC on the following issues:

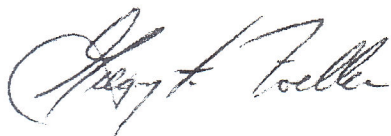
- (1) What *legal and/or regulatory* prohibitions, if any, prevent telephone carriers from implementing call-blocking technology such as NoMoRobo, Call Control, and Telemarketing Guard? Does the answer change if the telephone companies’ customers affirmatively “opt into” the call-blocking technology (either for a fee or as a free service)?
- (2) US Telecom claims that telephone carriers “can and do block harassing and annoying telephone traffic at their end-user customer’s request,” but only for a “discrete set of specific phone numbers.” At a customer’s request, can telephone carriers legally block certain types of calls (*e.g.*,

telemarketing calls) if technology is able to identify incoming calls as originating or probably originating from a telemarketer?

- (3) US Telecom describes the FCC's position as "strict oversight in ensuring the unimpeded delivery of telecommunications traffic." Is US Telecom's characterization of the FCC's position accurate? If so, upon what basis does the FCC claim that telephone carriers may not "block, choke, reduce or restrict telecommunications traffic in any way"?

Thank you for your consideration on this matter. Hopefully, we can all work cooperatively to find a solution to the unwanted telemarketing problem in the United States.

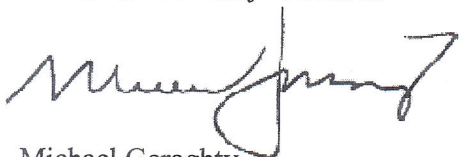
Respectfully,



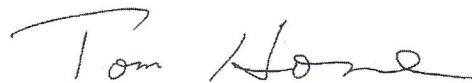
Greg Zoeller  
Indiana Attorney General



Chris Koster  
Missouri Attorney General



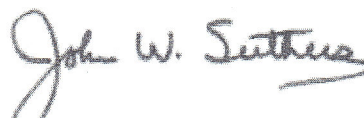
Michael Geraghty  
Alaska Attorney General



Tom Horne  
Arizona Attorney General



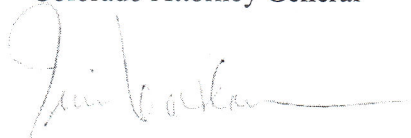
Dustin McDaniel  
Arkansas Attorney General



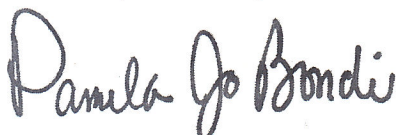
John W. Suthers  
Colorado Attorney General



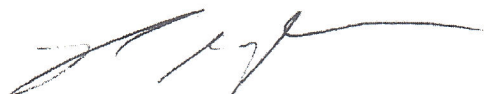
George Jepsen  
Connecticut Attorney General



Irvin Nathan  
District of Columbia Attorney General



Pamela Jo Bondi  
Florida Attorney General



Lenny Rapadas  
Guam Attorney General



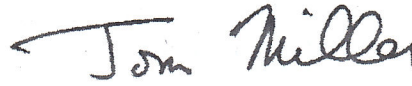
David Louie  
Hawaii Attorney General



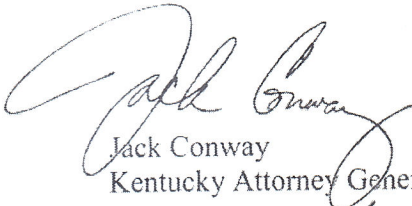
Lawrence Wasden  
Idaho Attorney General



Lisa Madigan  
Illinois Attorney General



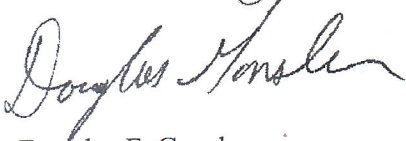
Tom Miller  
Iowa Attorney General



Jack Conway  
Kentucky Attorney General



Janet Mills  
Maine Attorney General



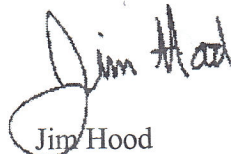
Douglas F. Gansler  
Maryland Attorney General



Bill Schuette  
Michigan Attorney General



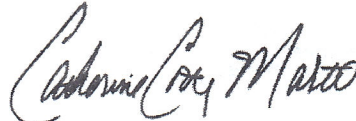
Lori Swanson  
Minnesota Attorney General



Jim Hood  
Mississippi Attorney General



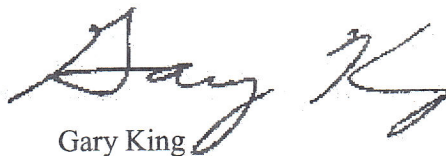
Tim Fox  
Montana Attorney General



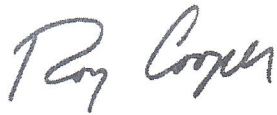
Catherine Cortez Masto  
Nevada Attorney General



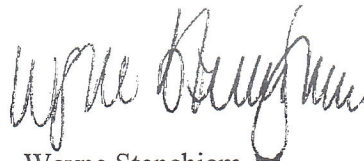
Joseph Foster  
New Hampshire Attorney General



Gary King  
New Mexico Attorney General



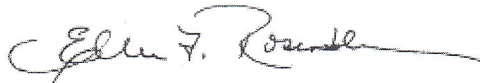
Roy Cooper  
North Carolina Attorney General



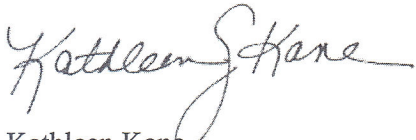
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North Dakota Attorney General



Mike DeWine  
Ohio Attorney General



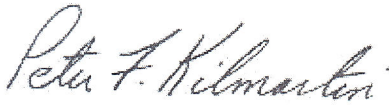
Ellen F. Rosenblum  
Oregon Attorney General



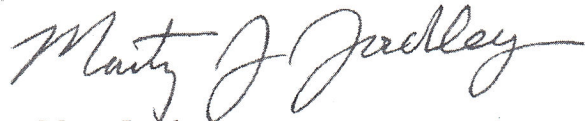
Kathleen Kane  
Pennsylvania Attorney General



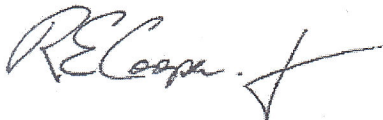
César R. Miranda Rodríguez  
Puerto Rico Attorney General



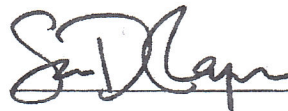
Peter Kilmartin  
Rhode Island Attorney General




Marty Jackley  
South Dakota Attorney General



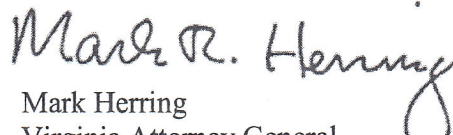
Robert E. Cooper, Jr.  
Tennessee Attorney General



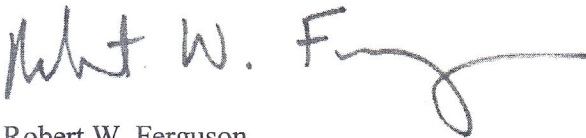
Sean Reyes  
Utah Attorney General



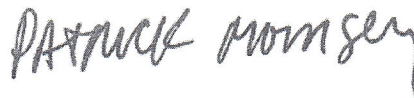
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Vermont Attorney General



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Overland Park, KS 66251

John Legere  
President and Chief Executive  
Officer  
T-Mobile USA  
12920 SE 38<sup>th</sup> Street  
Bellevue, WA 98006

Dear Msrs. Stephenson, McAdam, Claire, Legere and Post:

As state Attorneys General, we are on the front lines of consumer protection for millions of Americans harassed by unwanted and unwelcome robocalls. Though our offices work diligently to prosecute those who violate state and federal laws intended to prevent such calls, our enforcement efforts alone cannot stop the problem. The better solution is to stop intrusive calls before they ever reach the consumer. To that end, we call on you to take full advantage of the opportunity provided by the rule clarification recently adopted by the Federal Communications Commission ("FCC") and offer call-blocking technology to your consumers.

Previous discussions regarding the implementation of call-blocking technologies were cut short by concerns that such technology may violate federal law. At a July 2013 hearing before a Senate subcommittee, for example, representatives from the US Telecom Association and CTIA testified that "legal barriers prevent[] carriers from implementing advanced call-blocking technology to reduce the number of unwanted telemarketing calls."

In response to that concern, thirty-nine Attorneys General sent a letter to the FCC last September asking the Commission to issue an official opinion clarifying that telephone providers are not prohibited by law from offering, at the customer's request, technology to block unwanted calls or texts.

On June 18, 2015, the FCC responded, formally adopting a rule clarification, clearly stating that federal law does not prohibit telecommunication service providers from offering, upon a customer's

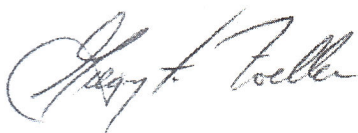
2030 M Street, NW  
Eighth Floor  
Washington, DC 20036  
Phone: (202) 326-6000  
<http://www.naag.org/>

request, services intended to block unwanted calls. This clarification by the FCC should remove any doubt about your legal authority to empower consumers by providing call-blocking technology to help stop robocalls, scam text messages and unwanted telemarketing calls.

Since call-blocking options already exist for Voice over Internet Protocol or VoIP phone service (NoMoRobo.com) and Android cell phones (Call Control), landline and wireless carriers should move swiftly to implement and inform consumers of these options.

Every year, our offices are flooded with consumer complaints pleading for a solution to stop intrusive robocalls. Your organizations are now poised to offer your customers the help they need. We urge you to act without delay.

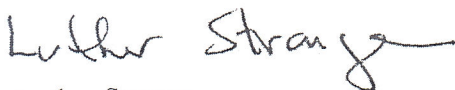
Respectfully,



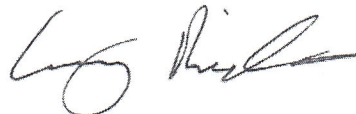
Greg Zoeller  
Indiana Attorney General



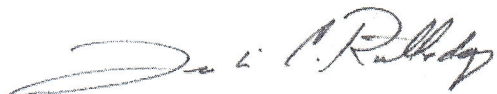
Chris Koster  
Missouri Attorney General



Luther Strange  
Alabama Attorney General



Craig W. Richards  
Alaska Attorney General



Leslie Rutledge  
Arkansas Attorney General



Kamala Harris  
California Attorney General



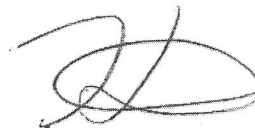
Cynthia Coffman  
Colorado Attorney General



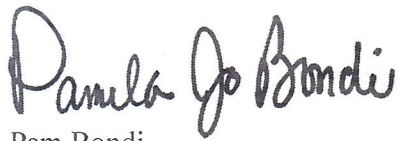
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Connecticut Attorney General



Matthew Denn  
Delaware Attorney General



Karl A. Racine  
District of Columbia Attorney General



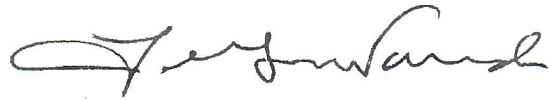
Pam Bondi  
Florida Attorney General




Sam Olens  
Georgia Attorney General



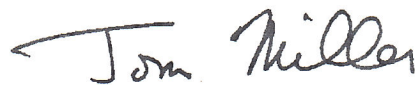
Doug Chin  
Hawaii Attorney General



Lawrence Wasden  
Idaho Attorney General



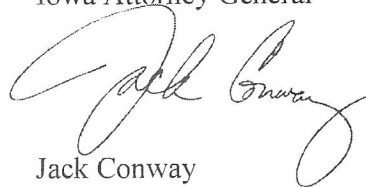
Lisa Madigan  
Illinois Attorney General



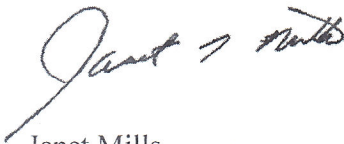
Tom Miller  
Iowa Attorney General



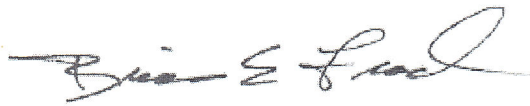
Derek Schmidt  
Kansas Attorney General



Jack Conway  
Kentucky Attorney General



Janet Mills  
Maine Attorney General



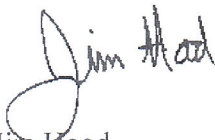
Brian Frosh  
Maryland Attorney General



Bill Schuette  
Michigan Attorney General



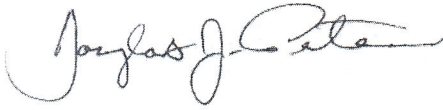
Lori Swanson  
Minnesota Attorney General



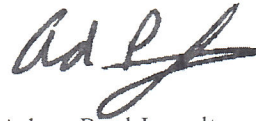
Jim Hood  
Mississippi Attorney General



Tim Fox  
Montana Attorney General



Doug Peterson  
Nebraska Attorney General



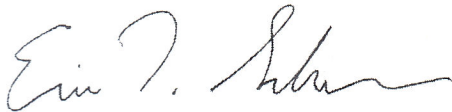
Adam Paul Laxalt  
Nevada Attorney General



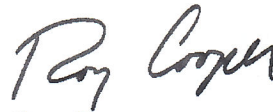
Joseph A. Foster  
New Hampshire Attorney General



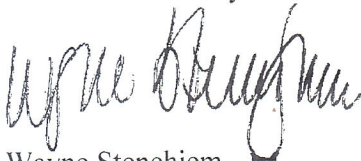
Hector Balderas  
New Mexico Attorney General



Eric Schneiderman  
New York Attorney General



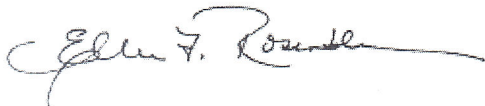
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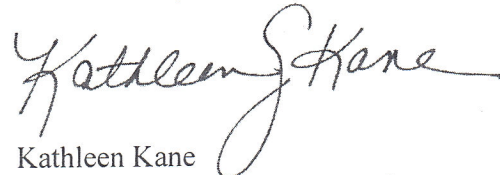
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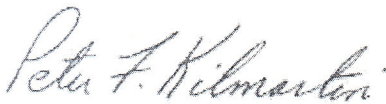
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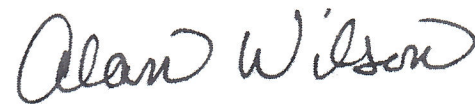
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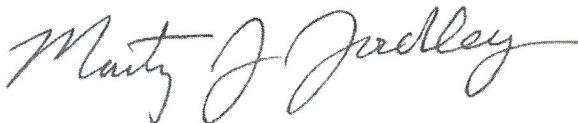
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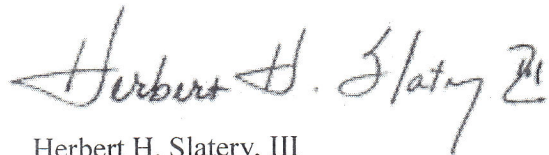
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Alan Wilson  
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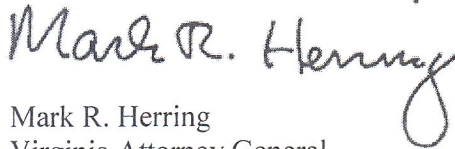
Herbert H. Slatery, III  
Tennessee Attorney General



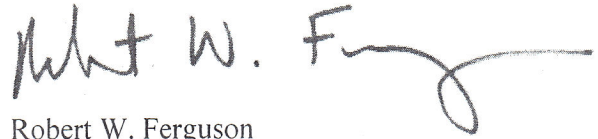
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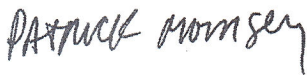
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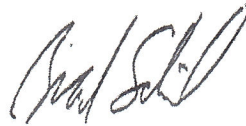
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Patrick Morrissey  
West Virginia Attorney General



Brad Schimel  
Wisconsin Attorney General



Peter K. Michael  
Wyoming Attorney General

cc: Meredith Attwell Baker, President and CEO, CTIA  
1400 16<sup>th</sup> Street NW  
Suite 600  
Washington, DC 20036

Walter B. McCormick, Jr., President and CEO, USTelecom Association  
607 14<sup>th</sup> Street NW  
Suite 400  
Washington, DC 20005