



# PUBLIC NOTICE

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DA 23-128

Released: February 15, 2023

## ROBOCALL ENFORCEMENT NOTICE TO ALL U.S.-BASED VOICE SERVICE PROVIDERS

### FCC Enforcement Bureau Notifies All U.S.-Based Providers of Rules Permitting Them to Block Robocalls Transmitting From One Eye LLC

File No. EB-TCD-20-00031678

By the Chief, Enforcement Bureau:

The Enforcement Bureau (Bureau) of the Federal Communications Commission (FCC or Commission) issues this Public Notice to notify all U.S.-based voice service providers about substantial amounts of apparently unlawful robocalls transmitted by One Eye LLC (One Eye). **Pursuant to section 64.1200(k)(4) of the Commission's Rules, we hereby notify all U.S.-based voice service providers that if One Eye fails to mitigate the identified traffic described in the cease-and-desist letter listed below, they may block voice calls or cease to accept traffic from One Eye, without liability under the Communications Act or the Commission's rules.**<sup>1</sup>

Contemporaneous with this *Public Notice*, the Bureau is issuing a cease-and-desist letter to the following voice service provider:<sup>2</sup>

- **One Eye LLC**

USTelecom's Industry Traceback Group (Traceback Consortium)<sup>3</sup> identified One Eye as a gateway provider for substantial volumes of apparently unlawful robocalls related to various fraudulent schemes. Pursuant to the cease-and-desist letter, One Eye must: (1) immediately investigate and effectively mitigate the traffic identified in the letter; (2) notify the Bureau and the Traceback Consortium, within 48 hours, of the steps taken to mitigate the identified traffic; and (3) inform the Bureau and the Traceback Consortium, within 14 days, of the steps that One Eye has taken to prevent new or renewing customers

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<sup>1</sup> 47 CFR § 64.1200(k)(4) (permitting downstream providers to block calls from a notified provider that fails to mitigate the identified traffic within 48 hours). Prior to initiating blocking, providers must provide the Commission with notice and a brief summary of the basis for their determination that the conditions are met for blocking. *Id.* We remind downstream voice service providers that taking advantage of this safe harbor and blocking calls from recipients of cease-and-desist letters that fail to take mitigation measures assists both Commission and industry efforts to reduce the impact of illegal robocalls on consumers.

<sup>2</sup> Letter from Loyaan A. Egal, Chief, FCC Enforcement Bureau, to Kaushal Bhavsar, CEO, One Eye LLC (Feb. 15, 2023) (One Eye Letter). This letter is available on the Commission's website at <https://www.fcc.gov/robocall-facilitators-must-cease-and-desist>.

<sup>3</sup> USTelecom's Industry Traceback Group is the registered industry consortium selected pursuant to the TRACED Act, to conduct tracebacks to identify suspected bad actors. *Implementing Section 13(d) of the Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act (TRACED Act)*, EB Docket No. 20-22, Report and Order, DA 22-870 (EB 2022) (2022 Consortium Selection Order). *See also* TRACED Act § 13(d).

from using its network to transmit illegal robocalls.<sup>4</sup> If One Eye fails to comply with the requirements set forth in the letter, it may be subject to mandatory blocking by their downstream providers.<sup>5</sup>

*Purpose.* Protecting individuals and entities from the dangers of unwanted and illegal robocalls is the Commission’s top consumer protection priority. As part of the Commission’s multi-pronged approach to combatting illegal robocalls, the Commission has taken steps to encourage voice service providers to block suspected illegal robocalls.<sup>6</sup> The Commission permits voice service providers to block traffic from other voice service providers that the Bureau has warned are transmitting suspected illegal robocalls.<sup>7</sup> The Bureau has issued several “cease-and-desist” letters, warning voice providers that they were transmitting suspected illegal robocalls and could be subject to blocking.<sup>8</sup> The Commission placed additional obligations on gateway providers in May 2022 by requiring they block illegal traffic when notified of such traffic by the Bureau.<sup>9</sup> Failure to do so may require the gateway provider’s immediate downstream providers to block all of its traffic if the gateway provider continues to transmit substantially similar traffic or fails to respond to the Bureau’s cease-and-desist letter.<sup>10</sup>

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<sup>4</sup> See One Eye Letter, *supra* note 2; see also 47 CFR § 64.1200(k)(4). In the circumstances set forth in this cease-and-desist letter, we construe “effective mitigation measures” to mean taking all action necessary to cease carrying any such illegal traffic.

<sup>5</sup> See 47 CFR § 64.1200(n)(5) (requiring blocking); see also *Advanced Methods to Target and Eliminate Unlawful Robocalls, Call Authentication Trust Anchor*, CG Docket No. 17-59, WC Docket No. 17-97, Sixth Report and Order in CG Docket No. 17-59, Fifth Report and Order in WC Docket No. 17-97, Order on Reconsideration in WC Docket No. 17-97, Order, Seventh Further Notice of Proposed Rulemaking in CG Docket No. 17-59, and Fifth Further Notice of Proposed Rulemaking in WC Docket No. 17-97, FCC 22-37, paras. 35 & 40 (2022) (*Gateway Provider Order*) (requiring immediate downstream providers to block traffic from gateway providers that failed to meet their obligations to block traffic following Commission notification).

<sup>6</sup> See 47 CFR § 64.1200(k); *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-59, Third Report and Order, Order on Reconsideration, and Fourth Further Notice of Proposed Rulemaking, 35 FCC Rcd 7614, 7622, para. 19 (2020) (*July 2020 Call Blocking Order*) (establishing safe harbor for blocking traffic from bad-actor upstream voice service providers); *Advanced Methods to Target and Eliminate Unlawful Robocalls; Call Authentication Trust Anchor*, CG Docket No 17-59, WC Docket No. 17-97, Declaratory Ruling and Third Further Notice of Proposed Rulemaking, 34 FCC Rcd 4876, 4887-88, paras. 34-46 (2019) (*2019 Call Blocking Order*) (blocking based on reasonable analytics with consumer opt-out and consumer whitelists); *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-59, Report and Order and Further Notice of Proposed Rulemaking, 32 FCC Rcd 9706, 9709, para. 9 (2017) (*2017 Call Blocking Order*) (blocking of certain categories of calls highly likely to be illegal).

<sup>7</sup> *July 2020 Call Blocking Order*, 35 FCC Rcd at 7628-29, para. 36-39; see 47 CFR § 64.1200(k)(4).

<sup>8</sup> See, e.g., Letter from Rosemary Harold, Chief, FCC Enforcement Bureau, to Omar Luna, CEO, R Squared Telecom LLC (Apr. 13, 2021); Letter from Rosemary Harold, Chief, FCC Enforcement Bureau, to Vitaly Potapov, CEO, RSCOM LTD (Mar. 17, 2021). The Bureau uses data obtained from the Traceback Consortium. The Commission uses the term “bad actor” when discussing an originating or terminating provider that fails to take appropriate steps to prevent their network from being used to originate or transmit illegal calls. See *July 2020 Call Blocking Order*, 35 FCC Rcd at 7623, para. 19, n. 57. More recent cease-and-desist letters have also warned the bad actor that continued origination of illegal robocalls following the letter will be used as evidence of a defective Robocall Mitigation Database certification, and the Bureau may initiate proceedings to remove the bad actor’s certification from the database. See, e.g., Letter from Rosemary Harold, Chief, FCC Enforcement Bureau, to Prince Anand, CEO, PZ/Illum Telecommunication LLC (Oct. 21, 2021). See also 47 CFR § 64.6305(e).

<sup>9</sup> 47 CFR § 64.1200(n)(5); *Gateway Provider Order*, *supra* note 5, FCC 22-37 at para. 74.

<sup>10</sup> 47 CFR § 64.1200(n)(6) (requiring downstream providers to block a gateway provider’s traffic if the Bureau issues a Final Determination Order finding that the gateway provider has failed to block illegal traffic as required by section 64.1200(n)(5)); *Gateway Provider Order*, *supra* note 5, FCC 22-37 at para. 74.

*Nature of Apparently Unlawful Robocall Traffic.* One Eye is transmitting apparent fraudulent calls. One Eye transmitted calls related to apparent bank impersonation.<sup>11</sup> It also transmitted calls that said “a pre-authorized order had been placed on your name.” The call script did not state what the order was for or where the order was placed.<sup>12</sup> Additionally, One Eye’s predecessor company, PZ Illum Telecommunications, has been subject to previous Commission enforcement actions as described below.

We have determined that Prince Anand, the CEO of PZ Illum Telecommunications and recipient of a cease-and-desist letter from the Bureau on October 21, 2021,<sup>13</sup> apparently created One Eye to evade our past enforcement efforts. In a Skype conversation with a downstream provider, Prince Anand, also One Eye’s owner, explained that he shut down PZ/Illum Telecommunication due to the Bureau’s letter, but that he created a new company called One Eye LLC that would originate calls.<sup>14</sup> Prince Anand further explained that his name would not be on the paperwork for One Eye, but he would be the only owner.<sup>15</sup> Since the Bureau’s October 21, 2021 letter, One Eye has appeared in 100 tracebacks as a gateway provider for suspected illegal robocalls.

*Follow-Up Orders.* In the event that One Eye fails to respond to the cease-and-desist letter, the Bureau determines that the response is insufficient or that the traffic is illegal despite the provider’s assertions, or the Bureau determines that One Eye is continuing to allow substantially similar traffic onto the U.S. network, then the Bureau will issue an Initial Determination Order.<sup>16</sup> One Eye will have at least 14 days to respond to the Initial Determination Order.<sup>17</sup> If One Eye’s response to that order is insufficient or we find that it continues to allow substantially similar traffic onto the U.S. network, then we will publish a Final Determination Order in EB Docket No. 22-174 finding that One Eye is not in compliance with section 64.1200(n)(5).<sup>18</sup> **In the event that the Bureau issues a Final Determination Order in this matter, pursuant to section 64.1200(n)(6) of the Commission’s Rules, all U.S.-based voice service providers shall be required to block One Eye’s traffic.**<sup>19</sup>

*Contact Information.* For further information, please contact Kristi Thompson, Division Chief, Enforcement Bureau, Telecommunications Consumers Division, at 202-418-1318 or by email at [Kristi.Thompson@fcc.gov](mailto:Kristi.Thompson@fcc.gov); Lisa Zaina, Asst. Chief, Enforcement Bureau, Telecommunications Consumers Division, at 202-418-2803 or by email at [Lisa.Zaina@fcc.gov](mailto:Lisa.Zaina@fcc.gov); or Daniel Stepanicich,

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<sup>11</sup> See One Eye Letter, *supra* note 2.

<sup>12</sup> See *id.*

<sup>13</sup> Letter from Loyaan A. Egal, Chief, FCC Enforcement Bureau, to Prince Anand, CEO, PZ/Illum Telecommunication (Oct. 21, 2022). This letter is available on the Commission's website at <https://www.fcc.gov/robocall-facilitators-must-cease-and-desist>.

<sup>14</sup> Prince Anand Skype Chat (Oct. 24, 2021) on file at EB-TCD-20-00031678 (Prince Anand Skype Chat). The Skype chat is between “Frank Murphy” and onlywebleads. In the course of the conversation, “Frank Murphy” identifies himself as Prince Anand. *Id.* at June 10, 2021. .

<sup>15</sup> *Id.* at Oct. 24, 2021.

<sup>16</sup> 47 CFR § 64.1200(n)(5)(ii).

<sup>17</sup> *Id.* § 64.1200(n)(5)(ii)-(iii).

<sup>18</sup> *Id.* § 64.1200(n)(5)(iii).

<sup>19</sup> *Id.* § 64.1200(n)(6). Providers must monitor EB Docket No. 22-174 and initiate blocking no later than 30 days from the release date of the Final Determination Order. *Id.*

Enforcement Bureau, Telecommunications Consumers Division, at 202-418-7451 or by email at [Daniel.Stepanicich@fcc.gov](mailto:Daniel.Stepanicich@fcc.gov).

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