

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
TELECLUB fka 2054235 Alberta Ltd.) EB-TCD-23-00034926
)

REMOVAL ORDER

Adopted: February 22, 2024

Released: February 22, 2024

By the Chief, Enforcement Bureau:

I. INTRODUCTION

1. By this Order, the Federal Communications Commission’s (FCC or Commission) Enforcement Bureau (Bureau) removes the certification of TELECLUB (Teleclub or the Company), a foreign voice service provider, from the Robocall Mitigation Database (Database). Teleclub failed to cure its facially deficient Database certification (Certification) or otherwise demonstrate why the Bureau should not remove its Certification from the Database following the Bureau’s October 16, 2023 Order directing it to take either one of those actions.¹ **Removal from the Database requires all intermediate providers and voice service providers to cease accepting all calls directly from the Company that use U.S. North American Numbering Plan (NANP) resources in the caller ID field to send voice traffic to residential or business subscribers in the United States.**² Furthermore, the Company shall not re-file a Certification without the prior approval of both the FCC’s Wireline Competition Bureau and the Bureau.³

II. BACKGROUND

A. Database Requirements for Voice Service Providers

2. Protecting Americans from the dangers of unwanted and illegal robocalls is the Commission’s top consumer protection priority.⁴ As part of its multipronged approach to combatting illegal robocalls, the Commission has mandated adoption of the Secure Telephony Identity Revisited/Signature-based Handling of Asserted information using toKENs (STIR/SHAKEN) caller ID authentication framework.⁵ All voice service providers are required to file Certifications with the Commission declaring whether their traffic is authenticated with STIR/SHAKEN or subject to a robocall

¹ See *2054235 Alberta Ltd. dba Teleclub*, Order, DA 23-960, 2023 WL 7124508, at *3-4, paras. 11-12 (EB Oct. 16, 2023) (*Show Cause Order*). Following the release of the Bureau’s *Show Cause Order*, 2054235 Alberta Ltd. dba Teleclub changed its name in the Database to TELECLUB.

² 47 CFR § 64.6305(g)(2).

³ See *Global UC Inc*, Removal Order, 37 FCC Rcd 13376, 13376, para. 1 (EB 2022) (*Global UC Removal Order*).

⁴ See Consumer Guidance, Fed. Commc’ns Comm’n, *Stop Unwanted Robocalls and Texts* (July 7, 2023), <https://www.fcc.gov/consumers/guides/stop-unwanted-robocalls-and-texts#:~:text=Unwanted%20calls%20%E2%80%93%20including%20illegal%20and,our%20top%20consumer%20protection%20priority>.

⁵ See 47 CFR § 64.6301(a); *Call Authentication Trust Anchor, Implementation of TRACED Act Section 6(a)—Knowledge of Customers by Entities with Access to Numbering Resources*, WC Docket Nos. 17-97 and 20-67, Report and Order and Further Notice of Proposed Rulemaking, 35 FCC Rcd 3241, 3243-44, paras. 3-5 (2020).

mitigation program.⁶ Voice service providers that have not fully implemented STIR/SHAKEN must detail in a robocall mitigation plan attached to their Certifications the specific reasonable steps they have taken to avoid originating illegal robocall traffic.⁷ Provider Certifications and robocall mitigation plans are publicly available in the Database.⁸

3. Although Commission rules do not require foreign voice service providers to file a Certification in the Database, foreign voice service providers that use U.S. telephone numbers to send voice traffic to U.S. subscribers must follow the same certification requirements as domestic voice service providers in order to be listed in the Database.⁹ The Commission has emphasized that these rules do not constitute the exercise of jurisdiction over foreign voice service providers.¹⁰

4. Commission rules prohibit any intermediate provider or terminating voice service provider from accepting voice traffic directly from any voice service provider or gateway provider that does not appear in the Database, including any foreign voice service provider that uses NANP resources that pertain to the U.S. in the caller ID field.¹¹ The Bureau may take enforcement action, including removal of a Certification from the Database, against voice service providers or gateway providers, including foreign voice service providers that have deficient Certifications.¹² A deficient Certification includes one that fails to describe specific reasonable steps a voice service provider or gateway provider has taken to avoid originating or carrying illegal robocall traffic as required by section 64.6305(d)-(e) of the Commission's rules.¹³ Prior to removing a Certification from the Database, the Bureau must provide notice to the voice service provider and allow an opportunity to cure.¹⁴ If the voice service provider fails to cure, the Bureau will issue an order to show cause why the provider should not be removed and provide a further opportunity for the provider to cure.¹⁵ If the provider still does not cure or provide a sufficient explanation why its filing is not deficient, the Bureau may remove the provider's Certification from the Database.¹⁶

⁶ 47 CFR § 64.6305(d); *Call Authentication Trust Anchor*, WC Docket No. 17-97, Second Report and Order, 36 FCC Rcd 1859, 1902, para. 82 (2020) (*Second Caller ID Authentication Order*).

⁷ 47 CFR § 64.6305(d)(2)(ii); *Second Caller ID Authentication Order*, at 1902, para. 82.

⁸ Fed. Commc'ns Comm'n, *Robocall Mitigation Database*, https://fccprod.servicenowservices.com/rmd?id=rmd_welcome (last visited Jan. 10, 2024).

⁹ *Second Caller ID Authentication Order*, at 1905-06, paras. 90, 93.

¹⁰ *Id.* at 1910, para. 99 & n.370 (finding that these rules have only an indirect effect on foreign 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, 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, 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, 37 FCC Rcd 6865, 6931-14, para. 120 & n.354 (2022) (*Gateway Provider Order*) (finding that amendments to these provisions only have an indirect effect on foreign voice service providers).

¹¹ 47 CFR § 64.6305(g); *Second Caller ID Authentication Order*, at 1904, para. 86; *Gateway Provider Order*, 37 FCC Rcd at 6883-84, para. 44.

¹² See 47 CFR § 0.111(a)(28); *Second Caller ID Authentication Order*, *supra* note 6, at 1901-03, 1906, para. 81 & nn.83, 93, 322; *Gateway Provider Order*, at 6882, para. 40.

¹³ 47 CFR § 64.6305(d)(2)(ii), (e)(2)(ii); see also *Second Caller ID Authentication Order*, *supra* note 6, at 1900-02, paras. 77-82; *Gateway Provider Order*, 37 FCC Rcd at 6882, para. 40.

¹⁴ *Call Authentication Trust Anchor*, WC Docket No. 17-97, Sixth Report and Order and Further Notice of Proposed Rulemaking, FCC 23-18, 2023 WL 2582652, at *21, para. 60 (2023) (*Sixth Caller ID Authentication Order*).

¹⁵ *Id.*

¹⁶ *Id.*

B. Teleclub's Deficient Certification

5. Teleclub filed a Certification on September 15, 2021, and indicated that it is a foreign voice service provider.¹⁷ Teleclub certified that it had not implemented the STIR/SHAKEN authentication framework on any portion of its network, and all of the calls that originated on its network were subject to a robocall mitigation program.¹⁸ The document attached to its Certification contained only the Company's business address.¹⁹ The Wireline Competition Bureau contacted the Company by email on February 18, 2022, and notified the Company that its attachment did not satisfy the requirements under the Commission's rules.²⁰ The Wireline Competition Bureau did not receive a response from Teleclub, and the Company did not correct the identified deficiency in its Certification.

6. On October 16, 2023, the Bureau ordered Teleclub to correct the deficiency in its Certification or explain why its Certification should not be removed from the Database.²¹ Teleclub had 14 days to file a response with the Bureau either informing the Bureau that the deficiency had been corrected or explaining why its Certification should not be removed from the Database.²² On October 20, 2023, Teleclub amended its Certification by updating its business name, changing its business address, and certifying it has partially implemented STIR/SHAKEN and some of the traffic that originates on its network is subject to a robocall mitigation program.²³ Teleclub did not amend the attachment to its Certification and did not notify the Bureau that it has corrected its Certification deficiency or explain why its Certification should not be removed from the Database.

III. DISCUSSION

7. We find that Teleclub's Certification is deficient because the attachment filed with its Certification fails to include any description of any robocall mitigation efforts being taken by the Company.²⁴ The Wireline Competition Bureau notified the Company in February 2022 of the deficiency in its filing, which it did not cure.²⁵ The Bureau then ordered the Company to cure the deficiency in its Certification or explain why its Certification should not be removed from the Database, and Teleclub did neither.²⁶ Instead, Teleclub amended its business name to TELECLUB, changed its business address, and updated its STIR/SHAKEN implementation status from no implementation to partial implementation, but it made no changes to its robocall mitigation plan. The amendments did not cure the previously identified

¹⁷ *Show Cause Order*, *supra* note 1, at *4, para. 7. Teleclub's initial filing was under the name 2054235 Alberta Ltd. dba Teleclub.

¹⁸ *Id.*

¹⁹ *Id.* We note that the Certification was not merely deficient, but was facially deficient because it did not include any robocall mitigation plan. *See Sixth Caller ID Authentication Order*, *supra* note 14, at *21, para. 61 ("A certification is 'facially deficient' where the provider fails to submit a robocall mitigation plan within the meaning of our rules. That is, it fails to submit any information regarding the 'specific reasonable steps' it is taking to mitigate illegal robocalls."). The Commission has adopted an expedited procedure for removing facially deficient certifications, *see id.* at *21-22, paras. 61-62, but we did not use that expedited procedure here because the Bureau already had initiated removal under our default removal procedure before the expedited procedure was adopted. The Bureau plans to use the expedited removal procedure where appropriate in the future.

²⁰ *Show Cause Order*, *supra* note 1, at *4, para. 7.

²¹ *Id.* at *4, para. 12.

²² *Id.* at *3, para. 11.

²³ TELECLUB, Robocall Mitigation Database, Fed. Comm'n's Comm'n (Oct. 20, 2023), https://fccprod.servicenowservices.com/rmd?id=rmd_form&table=x_g_fmc_rmd_robocall_mitigation_database&sys_id=08d3047e1b6ebc10cc2f2f82f54bcb76&view=sp (Robocall Mitigation Database Filing).

²⁴ *See Sixth Caller ID Authentication Order*, *supra* note 14, at *21, para. 61

²⁵ *Show Cause Order*, *supra* note 1, at *2, para. 7.

²⁶ *See id.* at *3, para. 9.

deficiency in Teleclub's Certification because the attachment to its filing still only contains the Company's business address and does not describe any robocall mitigation efforts. Furthermore, Teleclub did not notify the Bureau that it has corrected the deficiency in its Certification or explain why its Certification should not be removed from the Database. Therefore, the Certification now warrants removal.

8. Accordingly, we remove Teleclub's Certification from the Database.²⁷ Once removed, **all Intermediate providers and voice service providers are required to cease accepting all calls directly from TELECLUB that use U.S. NANP resources in the caller ID field to send voice traffic to residential or business subscribers in the United States.**²⁸ Downstream providers may not block emergency calls to 911 and must take reasonable efforts not to block calls from public safety answering points (PSAPs) and government emergency numbers.²⁹ The Company shall not refile in the Database unless and until both the Wireline Competition Bureau and the Bureau determine that the Company has addressed and resolved any deficiencies or shortcomings in its Certification.³⁰

9. *Additional Information.* For further information about this *Order*, contact Alexander Hobbs, Attorney Advisor, Telecommunications Consumers Division, Enforcement Bureau, at alexander.hobbs@fcc.gov or (202) 418-7433.

IV. ORDERING CLAUSES

10. Accordingly, **IT IS ORDERED** that, pursuant to sections 4(i), 4(j), 227, 251(e), and 403 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 227, 251(e), 403; and sections 0.111, 0.311, 1.1, and 64.6305 of the Commission's rules, 47 CFR §§ 0.111, 0.311, 1.1, 64.6305, this Removal Order is **ADOPTED**.

11. **IT IS FURTHER ORDERED** that TELECLUB is **IMMEDIATELY REMOVED** from the Robocall Mitigation Database.

12. **IT IS FURTHER ORDERED** that TELECLUB shall not refile in the Robocall Mitigation Database unless and until the Wireline Competition Bureau and the Enforcement Bureau determine that it has addressed and resolved any deficiencies or shortcomings in its Robocall Mitigation Database certification.

13. **IT IS FURTHER ORDERED** that copies of this Order shall be sent by email and registered mail, return receipt requested, to: Ajinder Singh, CEO, TELECLUB, 1948 Towne Center Blvd., Edmonton, Alberta T6R 2W3, Canada, and ajinder@teleclub.ca.

14. **IT IS FURTHER ORDERED** that pursuant to section 1.102(b) of the Commission's rules, 47 CFR § 1.102(b), this Removal Order **SHALL BE EFFECTIVE** upon release.

FEDERAL COMMUNICATIONS COMMISSION

Loyaan A. Egal
Chief
Enforcement Bureau

²⁷ See *Second Caller ID Authentication Order*, *supra* note 6, at 1901-02, para. 83.

²⁸ 47 CFR § 64.6305(g)(2); see also *Second Caller ID Authentication Order*, *supra* note 6, at 1904, para. 86.

²⁹ 47 CFR § 64.6305(g)(5).

³⁰ See *Global UC Removal Order*, *supra* note 3, at 13376, para. 1.