

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

In the Matter of

Communications Plus, Inc.

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)File No.: EB-TCD-22-00034285
NAL/Acct. No.: 202332170010
FRN: 0009281262

ORDER

Adopted: December 8, 2025**Released: December 8, 2025**

By the Acting Chief, Enforcement Bureau:

I. INTRODUCTION

1. The Enforcement Bureau (Bureau) issued a Notice of Apparent Liability for Forfeiture (*NAL*) to Communications Plus, Inc. (Communications Plus or Company) for apparently failing to provide information on a timely basis about telephone number disconnections to the Reassigned Numbers Database Administrator (Database Administrator), as required by section 64.1200(l)(2) of the Federal Communications Commission's (Commission or FCC) rules.¹ After fully considering Communications Plus's arguments and evidence, we find that the Company did report the disconnections, but did so through an affiliate. Accordingly, no violation of the rules occurred, and we cancel the *NAL*.

II. BACKGROUND

2. *Legal Background.* The Commission established a single, comprehensive Reassigned Numbers Database (Database) that identifies when a North American Numbering Plan (NANP) number has been reassigned to a new subscriber.² The purpose of the Database is to help callers confirm they are calling the intended subscriber.³ Autodialed or prerecorded calls are generally lawful only if the called party has given its prior consent.⁴ The Database allows persons to avoid placing calls to numbers previously assigned to a subscriber who provided consent for particular calls, but that (after the provision of such consent) were reassigned to a new non-consenting subscriber. This protects consumers by ensuring they do not receive calls that the prior owner of the reassigned number may have consented to. Additionally, the rule protects ethical telemarketers—those who check the Database prior to making calls—to ensure they are calling the intended recipient.

3. Carriers must inform the Database administrator (Administrator) of subscriber disconnections on a monthly basis.⁵ Section 64.1200(l)(2) requires carriers to report to the Administrator on the 15th of each month the most recent date that each NANP telephone number allocated to or ported to the carrier was permanently disconnected.⁶

4. *Factual Background.* Communications Plus provides local exchange service and is

¹ *Communications Plus Inc.*, Notice of Apparent Liability for Forfeiture, 37 FCC Rcd 14533 (EB 2022) (*NAL*); 47 CFR § 64.1200(l)(2).

² *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-59, Second Report and Order, 33 FCC Rcd 12024, 12025, para 3 (2018) (*Reassigned Numbers Database Order*).

³ *Id.*

⁴ 47 U.S.C. § 227(b)(1)(A)-(B).

⁵ *Id.* at 12032, 12038, paras. 21, 39; *see also* 47 CFR § 64.1200(l)(2).

⁶ 47 CFR § 64.1200(l)(2).

headquartered in Morgantown, West Virginia.⁷ Communications Plus is a wholly owned subsidiary of West Side Telephone Company (West Side), which is a wholly owned subsidiary of TelAtlantic Communications, Inc.⁸ The Administrator attested that the Company obtained numbering resources from NANP either directly or indirectly.⁹ In December 2021 and February 2022 through September 2022, the Administrator notified Communications Plus that the Company had failed to report permanent disconnects by the 15th day in each of those months as required by 47 CFR § 64.1200(l)(2), and that the Administrator would refer the matter to the Commission for further action.¹⁰

5. On December 12, 2022, the Bureau issued NALs to 12 local exchange carriers, including Communications Plus, for failure to file disconnection data with the Database in apparent violation of section 64.1200(l)(2).¹¹ The Bureau proposed imposing a \$3,000 forfeiture for Communications Plus's initial apparent violation, and a \$10,000 forfeiture for each subsequent apparent violation.¹²

6. On January 10, 2023, Communications Plus submitted a response to the *NAL*, asserting that the Company did in fact report its disconnected numbers to the Administrator, but through its parent company, West Side.¹³ Communications Plus stated that it confirmed in a telephone conversation with the director of the Database that West Side had made the filings on behalf of Communications Plus and that no issues existed with those filings.¹⁴ The confusion over the two separate registrations occurred because the employee responsible for the registration had passed away.¹⁵

7. Communications Plus argues that “because West Side has not missed a single filing, and each such filing included CommPlus' information, the Database has always included all of Communications Plus's disconnection information.”¹⁶ As a result, Communications Plus asserts that no violation existed and accordingly the *NAL* should be cancelled.¹⁷ Communications Plus stated further that its separate registration has since been merged with that of West Side, and that filings had been timely and uninterrupted.¹⁸

III. DISCUSSION

8. The Database is a critical component in TCPA implementation. Callers face significant liability—both to government authorities and to private litigants—under the Telephone Consumer Protection Act for making calls to certain numbers without consent.¹⁹ The Database provides a valuable tool to allow callers to avoid potential liability by determining whether a number has been discontinued. The Database depends on accurate and current information.

⁷ Communications Plus, Inc., 8823384, FCC Form 499 (Apr. 1, 2022), <http://apps.fcc.gov/cgb/form499/499detail.cfm?FilerNum=823384>.

⁸ Communications Plus Inc.'s Response to Notice of Apparent Liability for Forfeiture at 2 (Jan. 10, 2023) (on file in EB-TCD-22-00034285) (NAL Response).

⁹ *NAL*, 37 FCC Rcd at 14535, paras. 6-7.

¹⁰ *Id.*

¹¹ *See e.g. NAL*, 37 FCC Rcd 14533 at para. 1.

¹² *NAL*, 37 FCC Rcd at 14540, para. 13.

¹³ NAL Response at 1.

¹⁴ *Id.* at 2.

¹⁵ *Id.*

¹⁶ *Id.* at 1.

¹⁷ *Id.*

¹⁸ *Id.* at 1-2.

¹⁹ 47 U.S.C. § 227(b).

9. The Bureau proposed a forfeiture in this case in accordance with section 503(b) of the Communications Act of 1934, as amended (Act),²⁰ section 1.80 of the Commission's rules,²¹ and the Commission's *Forfeiture Policy Statement*,²² after determining that Communications Plus apparently failed to report disconnected numbers on seven different occasions.²³ After receiving the NAL, however, Communications Plus demonstrated that it had reported the disconnected numbers to the Administrator through its parent company, West Side.²⁴ The *Reassigned Numbers Database Order* permits providers to "delegate the task of reporting to the provider that receives the numbering resources directly from the [North American Numbering Plan Administrator (NANPA)]. . . ."²⁵ Here, Westside directly obtained numbering resources from the NANPA.²⁶ Communications Plus obtained its numbering resources indirectly through Westside.²⁷ As permitted by our rules,²⁸ Communications Plus delegated its reporting obligations to Westside.²⁹ Thus, we conclude that Communications Plus did not violate the Commission's Database rules.

IV. CONCLUSION

10. Communications Plus appropriately reported its number disconnection information through Westside. Accordingly, we cancel the NAL as Communications Plus did not commit any violations of the Commission's rules.

V. ORDERING CLAUSES

11. Accordingly, **IT IS ORDERED** that, pursuant to section 503(b) of the Act, 47 U.S.C. § 503(b), and section 1.80 of the Commission's rules, 47 CFR § 1.80, the Bureau's Notice of Proposed Liability for Forfeiture against Communications Plus Inc. in the amount of \$73,000 **IS CANCELED**.

²⁰ 47 U.S.C. § 503(b).

²¹ 47 CFR § 1.80.

²² *The Commission's Forfeiture Policy Statement and Amendment of Section 1.80 of the Rules to Incorporate the Forfeiture Guidelines*, Report and Order, 12 FCC Rcd 17087 (1997) (*Forfeiture Policy Statement*), *recons. denied*, Memorandum Opinion and Order, 15 FCC Rcd 303 (1999).

²³ *NAL*, 37 FCC Rcd at 14540, at para. 13.

²⁴ *NAL Response* at 2-3.

²⁵ *Reassigned Numbers Database Order*, *supra* note 2, 33 FCC Rcd at 12032, para 21.

²⁶ Email from Beth Sprague, Senior Director, Reassigned Number Database, David Konuch, Attorney Advisor, Telecommunications Consumers Division, FCC Enforcement Bureau, (July 28, 2025, 17:58 EDT).

²⁷ *Id.*

²⁸ *See Reassigned Numbers Database Order*, *supra* note 2, 33 FCC Rcd at 12032, para. 21, note 59 ("in some instances it might be more efficient and less costly for the entity indirectly receiving the numbers to report and therefore the parties should be able to contractually delegate the reporting requirements").

²⁹ *NAL Response* at 2-3.

12. **IT IS FURTHER ORDERED** that a copy of this Order Canceling Notice of Apparent Liability for Forfeiture shall be sent by first class mail and certified mail, return receipt requested, to David Damiani, President, Communications Plus, LLC, 1449 Fairmont Rd, Morgantown, West Virginia 26508 and to Benjamin H. Dickens, Jr., Blooston, Mordkofsky, Dickens & Prendergast, LLP, 2120 L Street NW STE 825 Washington, DC 20037.

FEDERAL COMMUNICATIONS COMMISSION

Patrick Webre
Acting Chief
Enforcement Bureau