

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

In the Matter of
Far Homes, Inc. d/b/a Tin Can, Petition for
Declaratory Ruling
WC Docket No. 25-288

ORDER

Adopted: April 17, 2026

Released: April 17, 2026

By the Chiefs, Wireline Competition Bureau, Public Safety and Homeland Security Bureau, and Consumer and Governmental Affairs Bureau:

I. INTRODUCTION

1. In this Order, the Wireline Competition Bureau, Public Safety and Homeland Security Bureau, and Consumer and Governmental Affairs Bureau (Bureaus), acting on a petition filed by Far Homes, Inc. d/b/a Tin Can (Tin Can), grant a limited waiver of certain Commission rules to the extent that such rules apply to a nascent voice service offered by Tin Can. The Bureaus waive these rules for a limited period of two years or until Tin Can’s service has attained 250,000 subscribers, whichever is reached sooner.

II. BACKGROUND

2. On May 20, 2025, Tin Can filed a Petition for Declaratory Ruling (Petition) requesting that the Commission declare that, “for purposes of the Commission’s rules, Tin Can’s service providing restricted access to whitelisted contacts through the Public Switched Telephone Network (‘PSTN’)” (the “whitelist service”) does not constitute interconnected Voice over Internet Protocol (VoIP) for purposes of the applicability of “VoIP-related provisions of Title II of the Communications Act of 1934, as amended [(the Act)].”<sup>1</sup> In the alternative, Tin Can requests that the Commission waive regulatory requirements stemming from Title II of the Act applicable to interconnected VoIP services for Tin Can’s whitelist service for good cause shown.<sup>2</sup>

3. Tin Can states that it provides its customers with a “device that connects to the internet and functions as a VoIP device,” and it describes its service offering as a VoIP service that provides “restricted access to whitelisted contacts through the Public Switched Telephone Network (‘PSTN’),” which is designed “specifically for children and other populations for whom unrestricted two-way access

1 Far Homes, Inc. d/b/a Tin Can, Petition for Declaratory Ruling, WC Docket No. 25-288, at 1 (filed May 20, 2025) (Tin Can Petition).

2 Tin Can Petition at 1, 4-5, 11-12; see 47 CFR §§ 1.3, 1.925. The Wireline Competition Bureau sought comment on Tin Can’s Petition. Wireline Competition Bureau Seeks Comment on Tin Can’s Petition for Declaratory Ruling, WC Docket No. 25-288, Public Notice, DA 25-856 (WCB Sept. 15, 2025). The Bureau received no comments in opposition and one comment that generally addresses regulation of VoIP services but does not take a position on the Petition. Comments of the Voice on the Net (VON) Coalition, at 1 (filed Nov. 18, 2025) (VON Comments) (discussing how the Commission’s “careful regulation of both interconnected and non-interconnected VoIP has enabled the development of innovative services while protecting the essential interests of American businesses and consumers that use communications services.”).

to the PSTN might be deemed unsafe by their parents or caretakers.”<sup>3</sup> Tin Can’s whitelist service enables subscribers to “manage whitelisted contacts in their sole discretion up to a maximum low number through a companion application that also enables such other controls such as setting active and inactive hours and monitoring usage.”<sup>4</sup>

4. In its Petition, Tin Can addresses subject areas and rules for which it states “there is a significant gap between the Commission’s rules and the realities of Tin Can’s service,” and it asserts that applying the rules to its service offering would result in prohibitive costs and operational challenges at its startup stage.<sup>5</sup> The subject areas cover Customer Proprietary Network Information (CPNI),<sup>6</sup> 711 service,<sup>7</sup> section 214 discontinuances,<sup>8</sup> reporting requirements pursuant to the Communications Assistance for Law Enforcement Act (CALEA),<sup>9</sup> and public safety-related outage reporting.<sup>10</sup> Tin Can further cites rules addressing Universal Service Fund (USF) contributions and number portability.<sup>11</sup> Finally, Tin Can states that it “commits to voluntarily complying with the Commission’s requirements applicable to VoIP providers for 911 and E911 functionality for its restricted whitelisted offering.”<sup>12</sup>

### III. DISCUSSION

5. We conclude that we do not have a sufficient record before us to make a determination as to whether Tin Can’s whitelist service functions as an interconnected VoIP service. The Petition does not describe the technical functions of the service with sufficient depth, nor does it discuss the application of the interconnected VoIP definition in section 9.3 of the Commission’s rules to the whitelist service.<sup>13</sup> As

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<sup>3</sup> Tin Can Petition at 1, 2. Tin Can states that the Tin Can phone “operates on Tin Can’s proprietary network with its own extension number and users can only communicate with another approved Tin Can device as part of a fully closed network.” *Id.* at 2. It further explains that the whitelist service allows the ability to contact a limited number of contacts “chosen by the subscriber that do not have a Tin Can.” *Id.*, Declaration of Chet Kittleson (Founder, Far Homes Inc. d/b/a Tin Can) (Kittleson Decl.), at 13.

<sup>4</sup> Tin Can Petition at 2-3.

<sup>5</sup> *Id.* at 6-10. While Tin Can did not request a waiver of all rules addressed in this Order, we waive certain rules on our motion in order to provide certainty regarding its regulatory obligations during its start-up operations. We do not otherwise address rules that Tin Can did not specify, nor do we make any definitive determination as to what rules are applicable to Tin Can’s service at this time or in the future.

<sup>6</sup> *Id.* at 6-7 (citing 47 CFR §§ 64.2001-64.2011); *see also* 47 CFR §§ 64.5105-64.5111.

<sup>7</sup> Tin Can Petition at 7-8 (citing 47 CFR §§ 6.1, 6.5(b), 64.601(b), 64.603(a)).

<sup>8</sup> *Id.* at 8 (citing *IP-Enabled Services*, WC Docket No. 04-36, Report and Order, 24 FCC Rcd 6039 (2009) (*VoIP Discontinuance Order*)); *see* 47 CFR § 63.71.

<sup>9</sup> Tin Can Petition at 8-9 (citing 47 CFR § 1.20005).

<sup>10</sup> *Id.* at 9 (citing 47 CFR § 4.9; *Proposed Extension of Part 4 of the Commission’s Rules Regarding Outage Reporting to Interconnected Voice Over Internet Protocol Service Providers and Broadband Internet Service Providers*, PS Docket No. 11-82, Report and Order, 27 FCC Rcd 2650, 2651-52, para. 2 (2012)); *see* 47 CFR §§ 4.3, 4.7, 4.11; *see also* 47 CFR § 4.18.

<sup>11</sup> Tin Can Petition at 1 n.1 (citing *High-Cost Universal Service Support et al.*, WC Docket No. 05-337 et al., Order on Remand and Report and Order and Further Notice of Proposed Rulemaking, 24 FCC Rcd 6475 (2008)); *see* 47 CFR §§ 54.706, 54.709, 54.711, 54.713.

<sup>12</sup> Tin Can Petition at 11 (citing 47 CFR § 9.11(b)(1)-(5)).

<sup>13</sup> *See* 47 CFR § 9.3 (defining “[i]nterconnected VoIP service” as “a service that: (i) Enables real-time, two-way voice communications; (ii) Requires a broadband connection from the user’s location; (iii) Requires internet protocol-compatible customer premises equipment (CPE); and (iv) Permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network”); *see id.* (extending the definition of “[i]nterconnected VoIP service” “solely for the purposes of compliance with the Commission’s 911 obligations” to include services which “permit[] users generally to terminate

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such, we make no determination regarding whether Tin Can’s whitelist service satisfies the definition of “interconnected VoIP service” for the purposes of clarifying Tin Can’s regulatory obligations. We also do not determine whether Tin Can’s service is a telecommunications service or whether Tin Can acts as a common carrier with respect to that service. While we waive certain rules that apply to telecommunications services or common carriers, as discussed below, none of those rules directly track statutory provisions. Accordingly, even if Tin Can’s service is a common carrier service, or were to be classified as such in the future, none of the waivers in this item would entail setting aside any statutory directives, which we lack authority to do.

6. Instead, we grant in part, on a limited basis, Tin Can’s request to waive at this early stage of its operations certain rules that are applicable to interconnected VoIP providers. Specifically, we waive, for a period of two years or until Tin Can’s whitelist service has attained 250,000 subscribers,<sup>14</sup> whichever is sooner, sections 4.18; 51.914(c), (d), and (g); 52.34; 63.63; 63.71 (solely as to its filing requirements); 64.2008(c)(1)-(9); 64.2009(e); and 64.2010(b)-(e) of the Commission’s rules<sup>15</sup> to the extent they may apply to Tin Can’s whitelist service. We do not, however, waive any 911 obligations that Tin Can may have under Part 9 of the Commission’s rules.<sup>16</sup>

7. The Commission may waive its rules for good cause shown.<sup>17</sup> It may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public

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calls to the public switched telephone network”). Tin Can states that the whitelist service “is a VoIP service,” Tin Can Petition at 2, that “allow[s] the end users . . . to have the restricted ability to interconnect with certain parties via the PSTN,” *id.*, and that this interconnection is “two-way,” *id.* at 4, meaning that the end user can both place and receive calls over the PSTN.

<sup>14</sup> The Commission, acting on delegated authority, has similarly adopted thresholds and limits in waivers of Commission rules applicable to new technologies or services to promote innovation while also protecting the public from any negative impacts of widescale deployment. *Cf., e.g., Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment et al.*, WC Docket No. 17-84 et al., Order, 40 FCC Rcd 1999 (WCB 2025) (waiving for two years the requirement that a replacement voice service offered by a carrier or an unaffiliated provider be stand-alone in order for a technology transitions discontinuance application to be eligible for streamlined processing under the Alternative Options Test); *GPR, Inc. Request for Waiver of the Commission’s Part 15 Rules Applicable to Ultra-Wideband Services*, ET Docket No. 19-241, Order, 38 FCC Rcd 10376, 10381-82, para. 18 (OET 2023) (limiting sales of vehicles equipped with ultra-wideband driver-assistance technology to 30,000 vehicles); *Geophysical Survey Systems, Inc. Request for Waiver of Sections 15.503(d), 15.31(c), and 15.521(d) of the Commission’s Rules*, ET Docket No. 22-458, Order, 38 FCC Rcd 6704, 6707, para. 11 (OET 2023) (limiting sale of devices authorized under the waiver to an “annual limit of 5,000 devices for each of the first two years and 10,000 devices each year thereafter”). The Commission has also previously granted relief from certain reporting requirements for small broadband Internet access service providers with 250,000 or fewer subscribers. *See Small Business Exemption from Open Internet Enhanced Transparency Requirements*, GN Docket No. 14-28, Order, 32 FCC Rcd 1772 (2017) (adopting a waiver from the enhanced reporting requirements adopted in the 2015 *Open Internet Order*, for “small” broadband Internet access providers, defined as those with 250,000 or fewer broadband connections). *See also Updating Part 1 Competitive Bidding Rules*, WT Docket No. 14-170, Report and Order, 30 FCC Rcd 7493, 7534-7535, para. 98 (2015) (using the 250,000 benchmark as a metric for entities to qualify for a bidding credit in certain spectrum auctions); 47 CFR § 1.2110(f)(4)(i).

<sup>15</sup> *See* 47 CFR §§ 4.18; 51.914(c), (d), (g); 52.34; 63.63; 63.71; 64.2008(c)(1)-(9); 64.2009(e); 64.2010(b)-(e).

<sup>16</sup> *See, e.g., id.* §§ 9.4 (911 transmission rule), 9.11 (E911 service rule for interconnected VoIP), 9.28 *et seq.* (NG911 rules).

<sup>17</sup> *Id.* § 1.3. The authority to grant waivers, including on its own motion, has been delegated to the Bureaus. *See id.* (permitting the suspension, revocation, amendment, or waiver for good cause shown of any Commission rules by the Commission, either “on its own motion or on petition if good cause therefor is shown”); *id.* § 0.91 (describing the functions of the Wireline Competition Bureau, and delegating to the Bureau the authority to “[c]arry out the functions of the Commission under the Communications Act of 1934, as amended, except as reserved to the Commission under § 0.291”); *id.* § 0.291 (delegating authority to the Chief of the Wireline Competition Bureau to

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interest.<sup>18</sup> In making this determination, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.<sup>19</sup> A waiver may be adopted on delegated authority, including in cases concerning nascent services.<sup>20</sup>

8. Applying this standard, we find that adopting a limited waiver of certain rules, to the extent they may apply to Tin Can’s service, sufficiently serves the public interest. As VON notes, the Commission has never imposed significant regulation on services that are not meaningful substitutes for traditional interconnected voice services, such as certain services it argues are similar to the “whitelist-style” services offered by Tin Can.<sup>21</sup> The Commission has nevertheless acted, even with respect to new and innovative services, to address potential harms to consumers and ensure that adequate protections remain in place.<sup>22</sup> After a careful review of the rules applicable to interconnected VoIP providers, and

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perform all functions of the Bureau subject to a list of exceptions and limitations); *id.* §§ 0.191, 0.392 (describing the functions of the Public Safety and Homeland Security Bureau, and delegating authority to the Bureau); *id.* §§ 0.141, 0.361 (describing the functions of the Consumer and Governmental Affairs Bureau, and delegating authority to the Bureau).

<sup>18</sup> *Ne. Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (*Northeast Cellular*).

<sup>19</sup> *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969) (*WAIT Radio*).

<sup>20</sup> *See, e.g., Space Bureau and Wireless Telecommunications Bureau Seek Comment on Filings of SpaceX and T-Mobile Requesting to Establish Supplemental Coverage from Space Application Authority for Modification of the SpaceX NGSO Satellite System to Add a Direct to Cellular System*, GN Docket No. 23-135, Order, DA 25-197, at 5, para. 11 (SB and WTB Mar. 7, 2025) (granting request to waive certain satellite rules for “supplemental coverage from space (SCS)” service, stating that “SCS service is at a nascent stage of development, and we find that strict application of the rule risks hindering the widespread deployment of this particular SCS network”); *Incarcerated People’s Communications Services; Implementation of the Martha Wright-Reed Act Rates for Inmate Calling Services*, WC Docket Nos. 23-62 and 12-375, Order, 40 FCC Rcd 4309, 4319, para. 21 (WCB 2025) (waiving the compliance deadlines for video IPCS service and stating that “given video IPCS’s status as a nascent service, we find that a temporary waiver of the interim rate caps for video IPCS and site commission rules may better position providers to develop and expand their video IPCS as the market grows and develops in the short run, while the Commission prepares to move towards establishing permanent rate caps for these IPCS offerings, and/or seeks further comment in light of the expanded record”).

<sup>21</sup> *See* VON Comments at 3 (listing alarm panels, fire panels, blue boxes, “house phones” that can only call security or a front desk, and modems for equipment monitoring).

<sup>22</sup> Although the Commission is committed to allowing innovative IP-based services to evolve without undue regulation, we are, at the same time, aware of our obligation to promote “safety of life and property” and to “encourage and facilitate the prompt deployment throughout the United States of a seamless, ubiquitous, and reliable end-to-end infrastructure” for public safety. *IP-Enabled Services; E911 Requirements for IP-Enabled Service Providers*, WC Docket Nos. 04-36 and 05-196, First Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 10245, 10247, para. 4 (2005) (*VoIP 911 Order*) (citing 47 U.S.C. § 151 and the Wireless Communications and Public Safety Act of 1999, Pub. L. No. 106-81, 113 Stat. 1286, § 2(b) (1999)). For example, the Commission acted to protect consumers of interconnected VoIP service—even at a nascent stage in its development—from the potential harms of interrupted service by extending its discontinuance requirements to providers of interconnected VoIP service. *See VoIP Discontinuance Order*, 24 FCC Rcd at 6047-48, paras. 14-15. The Commission noted that it did not believe that its doing so was in conflict or otherwise inconsistent with section 230 of the Act, for example, which provides that “[i]t is the policy of the United States—to preserve the vibrant and competitive free market that presently exists for the Internet and other interactive computer services, unfettered by Federal or State regulation.” *Id.*; 47 U.S.C. § 230(b)(2). While the Commission’s discussion of section 230 in the *Vonage Order* acknowledged this policy and cautioned against the imposition of undue regulation by multiple jurisdictions, this was directed at “traditional common carrier economic regulations.” *Vonage Holdings Corporation Petition for Declaratory Ruling Concerning an Order of the Minnesota Public Utilities Commission*, WC Docket No. 03-211, Memorandum Opinion and Order, 19 FCC Rcd 22404, 22426, para. 35 (2004) (*Vonage Order*); *see also VoIP 911 Order*, 20 FCC Rcd at 10262, n.95.

specifically those rules raised by Tin Can in its Petition, we find that good cause exists to grant a limited waiver of certain rules that may apply to Tin Can's whitelist service. At the same time, we emphasize that, based on the existing and very limited record, we are not making a determination about whether the whitelist service is interconnected VoIP.

9. We agree with Tin Can that leaving it potentially subject to certain regulatory requirements at this nascent stage could impose unduly burdensome operational and financial costs out of proportion to the regulatory gains,<sup>23</sup> stifling innovation. Likewise, we agree that leaving Tin Can potentially subject to the regulatory requirements described could undermine innovation, consumer choice, and children's safety,<sup>24</sup> contrary to the public interest.<sup>25</sup> Given the fact that the whitelist service is unlikely to be used by many of its subscribers (i.e., parents of minor children) as their sole voice service, we find that the likelihood that widespread consumer harm from waiver of these rules is minimal, and is outweighed by the benefit of reducing the regulatory burden on Tin Can. This, in turn, supports the Commission's interest in promoting new and innovative services in the voice marketplace by enabling Tin Can to devote freed-up resources to offering innovative new services during this early stage of its service deployment. By attaching a time and subscriber-count limit to these waivers,<sup>26</sup> we balance Tin Can's interest in growing its unique offering with the Commission's interest in protecting consumers.

#### A. Outage Reporting

10. To the extent that it may be applicable to Tin Can's whitelist service, we find good cause to waive section 4.18 of the Commission's rules addressing Disaster Information Reporting System (DIRS) reporting for two years, or until Tin Can's whitelist service reaches 250,000 subscribers, whichever is sooner. Section 4.18 requires cable communications, wireline, wireless, and interconnected VoIP providers to report their infrastructure status information each day in DIRS when the Commission activates DIRS in geographic areas in which they provide service.<sup>27</sup> Tin Can's Petition provides no indication that it has any infrastructure of its own, providing merely end-user devices and "a closed architecture with minimal external connectivity" to the public voice network.<sup>28</sup> Tin Can adds that its service is meant to be supplemental to a consumer's "traditional, fully PSTN-interconnected telecommunications services" and is targeted to niche demographics that "do not rely on telecommunications services" at all.<sup>29</sup> Given that the Commission's DIRS reporting rules are designed to increase situational awareness of infrastructure-related outages to help mitigate such disruptions for consumers, we find that the underlying purpose of the rules would not be served by requiring Tin Can to comply with them at this time.

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<sup>23</sup> See Tin Can Petition at 10.

<sup>24</sup> See *id.* at 3, 10-11 (asserting that Tin Can's service "specifically addresses the widespread concern among parents that their kids are too young for smartphones" and that "contact with the PSTN is only with known contacts managed exclusively by the subscriber . . . [which] means that scammers and other unlawful callers and autodialers cannot reach the Tin Can end user, and the Tin Can end user cannot reach unknown or untrusted numbers").

<sup>25</sup> See, e.g., *WAIT Radio*, 418 F.2d at 1157; *Northeast Cellular*, 897 F.2d at 1166.

<sup>26</sup> According to recent reporting, Tin Can has a fast-growing subscriber base. See, e.g., Steven Melendez, *Tin Can Has Reinvented the House Phone for Today's Families*, Fast Company (Dec. 18, 2025), <https://www.fastcompany.com/91461659/tin-can-phone-kids-luddite>; Kurt Schlosser, *Tin Can Dials Up Another \$12M to Meet Soaring Demand for Landline-Style Phone for Kids*, GeekWire (Dec. 18, 2025), <https://www.geekwire.com/2025/tin-can-dials-up-another-12m-to-meet-soaring-demand-for-landline-style-phone-for-kids>.

<sup>27</sup> 47 CFR § 4.18(a).

<sup>28</sup> Tin Can Petition at 9.

<sup>29</sup> *Id.*

## B. Access Stimulation

11. To the extent that it may apply to Tin Can's whitelist service, we find good cause to waive sections 51.914(c), (d), and (g) of the Commission's rules addressing access stimulation for two years, or until Tin Can's whitelist service reaches 250,000 subscribers, whichever is sooner.<sup>30</sup> Section 51.914(c) requires Internet Protocol Enabled Service (IPES) providers,<sup>31</sup> within 45 days of commencing access stimulation,<sup>32</sup> to among other things, designate the Intermediate Access Provider that will be responsible for providing switched access tandem switching or terminating switched access tandem transport services to the IPES provider;<sup>33</sup> and notify the Commission, affected Intermediate Access Providers, or Interexchange Carriers of its access-stimulation activity.<sup>34</sup> The Commission adopted its access stimulation rules to address the problem of the artificial inflation of the number of telephone calls for which long-distance carriers must pay tariffed access charges to the local telephone companies that terminate the telephone calls to their end users.<sup>35</sup> It extended its rules to include IPES providers primarily to address local exchange carriers' attempts to evade the rules by inserting IPES providers into call paths and thereby claiming that they are definitionally not engaged in access stimulation.<sup>36</sup> Tin Can states that its device "functions as a [VoIP] endpoint" and it does not state that it serves, or has any intention to serve, in the middle of a call path.<sup>37</sup> Additionally, the whitelisted nature of Tin Can's PSTN-interconnected service "tightly circumscribe[s]" its users' ability to make or receive calls,<sup>38</sup> such that it is highly unlikely that Tin Can would reach a terminating-to-originating traffic ratio of 6:1 in a given calendar month. For these reasons, we conclude that, should the rules be applicable to Tin Can, requiring Tin Can to comply with them at the time by monitoring their terminating-to-originating traffic ratio would likely be unduly burdensome at such a nascent stage in its product offering.

## C. Number Portability

12. To the extent it may apply to Tin Can's whitelist service, we find good cause to waive section 52.34 of the Commission's number porting rules<sup>39</sup> for two years, or until Tin Can's whitelist service reaches 250,000 subscribers, whichever is sooner. Section 52.34 requires interconnected VoIP providers to facilitate an end-user customer's valid number portability request, imposing an "affirmative legal obligation to take all steps necessary to initiate or allow a port-in or port-out itself or through the telecommunications carriers, if any, that it relies on to obtain numbering resources, subject to a valid port request, without unreasonable delay or unreasonable procedures that have the effect of delaying or

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<sup>30</sup> 47 CFR § 51.914(c), (d), (g).

<sup>31</sup> *Id.* § 61.3(eee) (defining "IPES (Internet Protocol Enabled Service) Provider" as "a provider offering a service that (1) Enables communications; (2) Requires a broadband connection from the user's location or end to end; (3) Requires internet Protocol-compatible customer premises equipment (CPE); and (4) Permits users to receive calls that originate on the public switched telephone network or that originate from an Internet Protocol service.").

<sup>32</sup> *Id.* § 61.3(bbb)(1) (stating when an IPES Provider serving end user(s) engages in Access Stimulation).

<sup>33</sup> *Id.* § 51.914(c).

<sup>34</sup> See *Updating the Intercarrier Compensation Regime to Eliminate Access Arbitrage*, WC Docket No. 18-155, Second Report and Order, 38 FCC Rcd 3822, 3832, para. 18 (2023) (*Access Stimulation Second Report and Order*); 47 CFR § 51.914(d), (g).

<sup>35</sup> See *Access Stimulation Second Report and Order*, 38 FCC Rcd at 3822, para. 1.

<sup>36</sup> See *id.* at 3825-28, paras. 9-12.

<sup>37</sup> Kittleson Decl. at 13.

<sup>38</sup> *Id.* at 14.

<sup>39</sup> 47 CFR § 52.34.

denying porting of the [North American Numbering Plan] NANP-based telephone number.”<sup>40</sup> It also prohibits an interconnected VoIP provider from entering into any agreement that would prohibit its customers from porting their telephone numbers.<sup>41</sup> While Tin Can devices are associated with a number in order to allow the user to place and receive limited calls over the PSTN,<sup>42</sup> Tin Can’s “current model is aimed at parents with young children,”<sup>43</sup> and there is no indication at this time that the customers would seek to port numbers to alternative providers if they cease the Tin Can service. Tin Can’s Petition provides no indication that its service or business model is intended to “grow” with its customers to transition to a full PSTN-enabled service, as the primary function of its whitelist service is to “facilitate secure communications within a controlled environment for certain niche demographics” as a supplemental device.<sup>44</sup> The Commission’s number porting rules are aimed at opening up the local telecommunications service market to competition.<sup>45</sup> We therefore conclude that, as currently offered, the underlying purpose of the rule would not be served by requiring Tin Can to comply with the Commission’s number porting rules in section 52.34, and that in view of Tin Can’s limited service offering, application of the local number portability obligations at this time would be unnecessary and unduly burdensome. Further, we believe that the time limited nature of the waiver will minimize any harm to competition if we are wrong about our predictive judgement that users will not want to port their Tin Can number.

#### **D. Section 214 Discontinuances**

13. To the extent applicable to Tin Can’s whitelist service, we grant authority to Tin Can under section 214(a) of the Act to discontinue, reduce, or impair its whitelist service at any time within the next two years or prior to reaching 250,000 subscribers, whichever is sooner, and find good cause to waive, for the same time period, the associated requirement to file an application with the Commission under the discontinuance rules.<sup>46</sup> However, we decline to waive, to the extent applicable, the customer notice requirements set forth in section 63.71 given the Commission’s interest in ensuring customers are

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<sup>40</sup> *Id.* § 52.34(a).

<sup>41</sup> *See id.* § 52.34(b).

<sup>42</sup> The unique extension numbers Tin Can assigns to the devices enable communication with other Tin Can devices. Kittleson Decl. at 13.

<sup>43</sup> Tin Can Petition at 3.

<sup>44</sup> *Id.* at 9.

<sup>45</sup> *See generally, e.g., Telephone Number Requirements for IP-Enabled Services Providers et al.*, WC Docket No. 07-243 et al., Report and Order, Declaratory Ruling, Order on Remand, and Notice of Proposed Rulemaking, 22 FCC Rcd 19531, 19540, para. 17 (2007) (“Specifically, the ability of end users to retain their NANP telephone numbers when changing service providers gives customers flexibility in the quality, price, and variety of services they can choose to purchase. Allowing customers to respond to price and service changes without changing their telephone numbers will enhance competition, a fundamental goal of section 251 of the Act.”).

<sup>46</sup> 47 U.S.C. § 214(a); 47 CFR § 63.71(c). We also waive, for the same reasons as stated below regarding section 63.71(c) of our rules, the emergency discontinuance application requirement provided in section 63.63. 47 CFR § 63.63. The Commission recently adopted a *Report and Order* revising section 63.63 of our rules to explicitly provide that a carrier may permanently discontinue a service upon a showing that: (1) the carrier has previously obtained emergency discontinuance authority for the service in question, (2) the service is one for which the requesting carrier has had no customers or reasonable requests for service during the 60-day period immediately preceding the permanent discontinuance, and (3) an adequate replacement service is available throughout the affected service area. *See Reducing Barriers to Network Improvements and Service Changes*, WC Docket No. 25-209, Report and Order, FCC 26-19, at 49, para. 92 (rel. Mar. 27, 2026) (*Networks and Services Modernization Report and Order*). As of the date of this *Order*, those amendments to the rules remain pending. 47 U.S.C. § 214(a); 47 CFR § 63.71; *see also VoIP Discontinuance Order*, 24 FCC Rcd at 6039-40, 6047, paras. 2, 14. Unless otherwise noted, this *Order* uses the term “discontinue” or “discontinuance” as a shorthand for the statutory language “discontinue, reduce, or impair.”

aware of an upcoming interruption in service that may impact their access to critical public safety services such as 911.<sup>47</sup> We find that this conditional grant of section 214(a) discontinuance authority and waiver of the associated application filing requirements at this time while retaining the customer notice requirements will adequately address Tin Can’s concern about undue burdens while protecting the public interest from potential service disruption harms. We also waive, for the same period, section 63.63’s emergency discontinuance application requirements for the same reasons as stated below regarding section 63.71 of the Commission’s rules.<sup>48</sup>

14. *Section 214(a) of the Act.* Section 214(a) of the Act and our implementing rules require carriers and interconnected VoIP providers<sup>49</sup> to obtain Commission authorization before discontinuing a telecommunications or interconnected VoIP service in order to “prevent[] a loss or impairment of a service offering to a community or part of a community without adequate public interest safeguards.”<sup>50</sup> In evaluating whether to grant such authorization, the Commission is obligated by statute to determine whether the discontinuance would adversely impact the public interest.<sup>51</sup> Over time, both the full Commission and the Bureau acting on delegated authority have granted blanket discontinuance authorization under section 214(a) where warranted by particular circumstances.<sup>52</sup> The Commission has taken such action where doing so advanced the public interest while also maintaining appropriate consumer protections.<sup>53</sup> This approach accords with the Commission’s longstanding practice of assessing

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<sup>47</sup> See 47 CFR § 63.71(a)-(b) (requiring providers to notify all affected customers of any planned discontinuance).

<sup>48</sup> *Id.* § 63.63.

<sup>49</sup> See *VoIP Discontinuance Order*, 24 FCC Rcd at 6039-40, 6047-49, paras. 2, 14-17 (extending section 214(a) discontinuance requirements to interconnected VoIP providers).

<sup>50</sup> 47 U.S.C. § 214(a). This requirement applies to all service offerings, not just legacy services, as Tin Can contends. See Tin Can Petition at 8. Indeed, the Commission’s rules do not provide an exhaustive list of what constitutes the discontinuance, reduction, or impairment of service. See 47 CFR § 63.60(a) (defining “[d]iscontinuance, reduction, or impairment of service”). In the context of interconnected VoIP service, the Commission has found that a discontinuance of service would include, but not be limited to, the conversion of an interconnected VoIP service to one that permits only inbound, but not outbound, calls to the PSTN—or one that permits only outbound, but not inbound, calls to the PSTN. *VoIP Discontinuance Order*, 24 FCC Rcd at 6047, para. 14 n.48.

<sup>51</sup> 47 U.S.C. § 214(a) (providing that “[n]o carrier shall discontinue, reduce, or impair service to a community, or part of a community, unless and until there shall first have been obtained from the Commission a certificate that neither the present nor future public convenience and necessity will be adversely affected thereby”).

<sup>52</sup> See, e.g., *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, WC Docket No. 17-84, Order, 40 FCC Rcd 2019 (WCB 2025) (*Grandfathering Waiver Order*) (“We hereby grant section 214(a) authority for carriers to grandfather any legacy voice or data service currently covered by sections 63.71(k)-(l) of the rules . . . .”); *Reducing Barriers to Network Improvements and Service Changes; Accelerating Network Modernization*, WC Docket Nos. 25-209, 25-208, Report and Order, FCC 26-19, at \*33-35, paras. 60-66 (rel. Mar. 27, 2026) (*Network and Services Modernization Order*); *Petition and Application of US West Communications for a Declaratory Ruling or, Alternatively, for Blanket Section 214 Authorization of Transfers to Unaffiliated Carriers of Less than 1,000 Access Lines Where All Existing Services Will Be Provided Without Interruption and Where the State Commission Has Approved the Transaction*, File No. W-PC-6998, Order and Authorization, 10 FCC Rcd 6077, 6077, para. 2 (CCB 1995) (*US West Order*) (“[W]e grant US West a blanket Section 214 discontinuance authorization to discontinue services on lines transferred to carriers with which it has no affiliation if” certain conditions are met.”).

<sup>53</sup> See, e.g., *Network and Services Modernization Order* at \*33-34, paras. 60-63; *Grandfathering Waiver Order*, 40 FCC Rcd at 2023-24, paras. 10-13; *Appropriate Framework for Broadband Access to the Internet over Wireline Facilities et al.*, CC Docket No. 02-33 et al., Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 14853, 14907-08, paras. 100-101 (2005).

service discontinuance by “balancing the interests of the carrier and the affected user community.”<sup>54</sup> As noted above, Tin Can states that its service is meant to be supplemental to a consumer’s “traditional, fully PSTN-interconnected telecommunications services” and is targeted to niche demographics that “do not rely on telecommunications services” at all.<sup>55</sup> Given the high likelihood that Tin Can customers (i.e., the parents of minor children) will have access to a fully PSTN-interconnected telecommunications service, we conclude that a disruption to Tin Can’s whitelist service will not harm their customers or adversely impact the public interest, insofar as such customers have been adequately apprised of the disruption.<sup>56</sup>

15. *The Commission’s discontinuance rules.* Insofar as the Commission’s discontinuance rules would continue to require Tin Can to file an application with the Commission to discontinue its whitelist service, for both a permanent discontinuance and an emergency discontinuance, we find good cause to waive those rules for two years or until Tin Can’s whitelist service reaches 250,000 subscribers, whichever is sooner. Section 63.71 requires that carriers file an application for discontinuance authorization and sets forth additional requirements related to such applications.<sup>57</sup> Section 63.63 requires that carriers file applications for emergency discontinuance authority.<sup>58</sup> For the purposes of these rules, the Commission treats interconnected VoIP service providers as “carriers” that must comply with the same discontinuance rules as domestic, non-dominant carriers.<sup>59</sup> Given that this Order conditionally grants Tin Can authority to discontinue its whitelist service, no purpose is served by requiring new discontinuance filings with the Commission in such circumstances. We thus waive the Commission’s discontinuance rules at this time insofar as they would require Tin Can to file an application with the Commission seeking to discontinue its whitelist service.<sup>60</sup>

16. Section 63.71 also requires providers to notify all affected customers of proposed discontinuances and includes certain requirements related to this notice.<sup>61</sup> The Commission extended this customer notice requirement to interconnected VoIP providers because it acknowledged that “[s]ervice discontinuance can be disruptive to all customers, regardless of whether their provider has market power or utilizes new technology.”<sup>62</sup> While Tin Can argues that the customer notice requirements would be

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<sup>54</sup> *Verizon Telephone Cos. Section 63.71 Application to Discontinue Service Through Physical Collocation*, WC Docket No. 02-237, Order, 18 FCC Rcd 22737, 22742, para. 8 (2003).

<sup>55</sup> Tin Can Petition at 9.

<sup>56</sup> We discuss our decision not to waive the notice requirement, to the extent applicable to Tin Can’s whitelist service, below. *See infra* para. 16.

<sup>57</sup> 47 CFR § 63.71.

<sup>58</sup> *Id.* § 63.63(a); *see also id.* § 63.60 (c) (defining emergency discontinuance).

<sup>59</sup> *See id.* § 63.60(a) (“For the purposes of §§ 63.60 through 63.90, the term ‘carrier,’ when used to refer either to all telecommunications carriers or more specifically to non-dominant telecommunications carriers, shall include interconnected VoIP providers.”); *VoIP Discontinuance Order*, 24 FCC Rcd at 6039-40, 6047, paras. 2, 14. The Commission noted that the discontinuance rules apply to all interconnected VoIP providers, and not simply those that own or control their own facilities. *Id.* at 6044, para. 8 n.24.

<sup>60</sup> Since we waive the requirement to file a discontinuance application, Tin Can is accordingly not required to serve a copy of that application to the relevant state public utility commission, state governor, Secretary of Defense, and any federally-recognized Tribal Nations with authority over the Tribal lands in which the discontinuance is proposed. *See* 47 CFR § 63.71(a).

<sup>61</sup> *Id.* § 63.71(a)-(b).

<sup>62</sup> *VoIP Discontinuance Order*, 24 FCC Rcd at 6047, para. 14. The Commission has noted that “because of the potentially portable nature of some interconnected VoIP services, there may be additional and/or alternative means of providing effective notice to customers of interconnected VoIP providers. As such, upon request, the Commission may authorize in advance another form of notice for good cause shown.” *Id.* at 6048, para. 16.

“unduly burdensome,”<sup>63</sup> we nevertheless find that, on balance, the public interest in not waiving this requirement (to the extent it applies) outweighs these burdens. As noted, the Commission has a vested interest in ensuring that customers of voice services are adequately apprised of an upcoming disruption of service given its impact on critical services such as access to 911.<sup>64</sup> Understanding that Tin Can’s goal is for children and parents to use and rely on its service to foster a “sense of independence and social connection,”<sup>65</sup> we conclude that not waiving the customer notice requirement, to the extent it applies, may enable customers to plan for the service disruption, such as by using their standard PSTN-interconnected telecommunications service, should the whitelist service be disrupted or discontinued.

#### **E. Customer Proprietary Network Information**

17. To the extent applicable to Tin Can’s whitelist service, we find good cause to waive, for two years or until Tin Can’s whitelist service reaches 250,000 subscribers, whichever is sooner, sections 64.2008(c)(1)-(9), 64.2009(e), 64.2010(b)-(e) of the Commission’s rules addressing interconnected VoIP providers’ CPNI obligations,<sup>66</sup> while we also decline to waive certain basic privacy requirements.<sup>67</sup>

18. Asserting that call volumes are minimal and that parents would be choosing the contact to whitelist on behalf of their children, and that it “will not have any other telecom services to cross-sell to its primary parental customers” and “also has no plans to market ancillary offering[s] based on call patterns,”<sup>68</sup> Tin Can seeks relief from CPNI requirements.<sup>69</sup> Given Tin Can’s currently limited customer base and the resulting limited CPNI<sup>70</sup> that Tin Can will possess, we find good cause for a limited waiver of certain of the Commission’s CPNI requirements that may be overly burdensome for Tin Can to implement at this nascent stage of the service offering, as described below. At the same time, the Commission takes its commitment to customer privacy seriously, and that commitment is amplified when children’s privacy is at issue. As such, we find that certain of the Commission’s general CPNI rules remain an important and necessary protection for customers of Tin Can’s whitelist service, and we do not waive those requirements to the extent that such regulations would apply to it.<sup>71</sup>

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<sup>63</sup> Tin Can Petition at 8.

<sup>64</sup> See *VoIP Discontinuance Order*, 24 FCC Rcd at 6045-46, para. 11.

<sup>65</sup> Tin Can Petition at 3.

<sup>66</sup> 47 CFR §§ 64.2008(c)(1)-(9), 64.2009(e), 64.2010(b)-(e).

<sup>67</sup> See *infra* para. 19.

<sup>68</sup> Tin Can Petition at 7.

<sup>69</sup> Tin Can specifically lists 47 CFR §§ 64.2008 (notice requirements for a provider’s use of a customer’s CPNI), 64.2009 (safeguards on use of CPNI and a requirement to file an annual compliance certification), 64.2010 (addressing unauthorized access and authentication requirements for disclosure of CPNI), and 64.2011(a) (breach notification requirements). Tin Can Petition at 7.

<sup>70</sup> CPNI is defined as “information that relates to the quantity, technical configuration, type, destination, location, and amount of use of a telecommunications service subscribed to by a customer of a telecommunications carrier, and that is made available to the carrier by the customer solely by virtue of the carrier-customer relationship,” and “information contained in the bills pertaining to telephone exchange service or telephone toll service received by a customer of a carrier” except for subscriber list information. 47 U.S.C. § 222(h).

<sup>71</sup> See generally *Implementation of the Telecommunications Act of 1996: Telecommunications Carriers’ Use of Customer Proprietary Network Information and Other Customer Information; IP-Enabled Services*, CC Docket No. 96-115, WC Docket No. 04-36, Report and Order and Further Notice of Proposed Rulemaking, 22 FCC Rcd 6927, 6957, paras. 56-57 (2007) (explaining that it “seems reasonable for American consumers to expect that their telephone calls are private irrespective of whether the call is made using the services of a wireline carrier, a wireless carrier, or an interconnected VoIP provider, given that these services, from the perspective of a customer making an ordinary telephone call, are virtually indistinguishable” and that “[m]oreover, extending section 222’s protections to

(continued....)

19. *Non-waived CPNI rules:* We do not waive the Commission’s overarching CPNI protections requiring providers to protect customer information.<sup>72</sup> To the extent applicable to Tin Can’s whitelist service, these rules provide basic privacy protections that we expect would not be burdensome to implement for the limited customer base and PSTN use Tin Can describes.

20. *Waived CPNI Rules:* Section 64.2008(c)(1)-(9) enumerate specific content requirements for the customer notice regarding use of CPNI mandated by section 64.2008(c).<sup>73</sup> We find good cause to waive these detailed content requirements, and permit Tin Can the discretion to provide notice in a form that it determines is sufficient for its limited customer base.

21. Section 64.2009(e) requires providers to file an annual certificate of compliance with the Commission’s CPNI rules.<sup>74</sup> We expect that Tin Can’s adherence to the Commission’s overarching CPNI protections noted above to the extent they apply provides safeguards to its early operations, and that it is unnecessary to require the certification during the two-year waiver period or until Tin Can’s whitelist service reaches 250,000 subscribers, whichever is sooner.

22. In addition, we find good cause to waive, to the extent it may apply to Tin Can’s whitelist service, section 64.2010(b) through (e) of the Commission’s rules, which describe specific customer authentication processes for telephone, on-line, and in-store customer access to CPNI, including password establishment requirements.<sup>75</sup> Section 64.2010(a) requires providers to take “reasonable measures to discover and protect against attempts to gain unauthorized access to CPNI” and to “properly authenticate a customer prior to disclosing CPNI based on customer-initiated telephone contact, online access, or an in-store visit.”<sup>76</sup> As such, to the extent that the Commission’s CPNI rules apply to Tin Can’s whitelist service, the rules would require Tin Can to properly authenticate customers and protect against unauthorized access to CPNI. We conclude that the marginal benefit of requiring Tin Can to also comply with specific authentication requirements is outweighed by the burdens associated with establishing those procedures, given that the overarching obligation under section 64.2010(a) would remain applicable.

#### **F. Other Requirements Not Waived at this Time**

23. With regard to rules Tin Can raises related to submission of CALEA policies and procedures,<sup>77</sup> NORS outage reporting,<sup>78</sup> 711 TRS requirements,<sup>79</sup> and USF contributions,<sup>80</sup> we decline to waive those requirements at this time to the extent they apply. The CALEA requirements allow for a one-

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interconnected VoIP service customers is necessary to protect the privacy of wireline and wireless customers that place calls to or receive calls from interconnected VoIP customers”).

<sup>72</sup> See, e.g., 47 CFR §§ 64.2005; 64.2007; 64.2008 (except for §§ 64.2008(c)(1)-(10)); 65.2009(a)-(d), (f); 64.2010(a), (f); 64.2011. Section 64.2003(o) of the Commission’s rules define “telecommunications carrier” to include entities that provide interconnected VoIP. *Id.* § 64.2003(o).

<sup>73</sup> *Id.* §§ 64.2008(c)(1)-(9).

<sup>74</sup> *Id.* § 64.2009(e).

<sup>75</sup> See *id.* §§ 64.2010(b)-(e).

<sup>76</sup> *Id.* § 64.2010(a).

<sup>77</sup> Tin Can Petition at 8-9 (citing 47 CFR § 1.20005).

<sup>78</sup> *Id.* at 9.

<sup>79</sup> *Id.* at 7-8 (citing 47 CFR §§ 6.1, 6.5(b), 64.601(b), 64.603(a)).

<sup>80</sup> Tin Can Petition at 1 n.1 (citing *High-Cost Universal Service Support et al.*, WC Docket No. 05-337 et al., Order on Remand and Report and Order and Further Notice of Proposed Rulemaking, 24 FCC Rcd 6475 (2008)); see 47 CFR §§ 54.706, 54.709, 54.711, 54.713.

time electronic filing with availability of a template to minimize burdens.<sup>81</sup> Similarly, the burdens of the NORS reporting requirements are already mitigated by thresholds such as that they only encompass outages of at least 30 minutes that potentially affect at least 900,000 user minutes of telephony service.<sup>82</sup> Next, 711 dialing helps make the communications network available to all individuals in the United States by providing access to relay services and the people with disabilities who use them. Access helps ensure Tin Can's customers, whether they have a hearing or speech disability or want to call friends or relatives with hearing or speech disabilities, are able to do so. With its limited customer base, we expect that Tin Can could determine which specific customers, if any, would require access to the service and work with them to provision it. Tin Can did not provide any information in its petition about the burdens associated with USF contributions, beyond making a general reference to the rules, and we therefore do not have enough information on the existing record to determine the extent to which it would be appropriate to address those requirements. However, we note that USF contributions are necessarily calculated as only a portion of interstate and international telecommunications revenue,<sup>83</sup> and the Commission's rules already further minimize those burdens for nascent or small providers by exempting providers from USF contributions entirely if the provider's contribution to universal service would be *de minimis*.<sup>84</sup> Finally, while Tin Can offers to comply voluntarily with certain 911 rules in part 9, we clarify that nothing in this Order relieves Tin Can of 911 obligations to the extent that such requirements apply.<sup>85</sup>

#### IV. ORDERING CLAUSES

24. Accordingly, IT IS ORDERED, pursuant to section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and sections 0.91, 0.141, 0.191, 0.291, 0.361, 0.392, 1.2, and 1.3 of the Commission's rules, 47 CFR §§ 0.91, 0.141, 0.191, 0.291, 0.361, 0.392, 1.2, 1.3, that Tin Can's Petition for Declaratory Ruling or Waiver IS DENIED IN PART and GRANTED IN PART to the extent described herein.

#### FEDERAL COMMUNICATIONS COMMISSION

Joseph S. Calascione  
Chief, Wireline Competition Bureau

Zenji Nakazawa  
Chief, Public Safety and Homeland Security Bureau

Eduard Bartholme  
Chief, Consumer and Governmental Affairs Bureau

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<sup>81</sup> See 47 CFR § 1.20005; FCC, *CALEA Electronic Filing System*, <https://www.fcc.gov/cefs>.

<sup>82</sup> See 47 CFR § 4.9(g) (describing notification requirements for interconnected VoIP providers).

<sup>83</sup> See *id.* § 54.706.

<sup>84</sup> *Id.* § 54.708.

<sup>85</sup> Tin Can Petition at 2; see, e.g., 47 CFR §§ 9.4, 9.11, 9.28 *et seq.*