



NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

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See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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NEWS MEDIA CONTACT:
Mark Wigfield, 202-418-0253
E-mail: Mark.Wigfield@fcc.gov

FCC TAKES MAJOR STEPS TO COMBAT CALL COMPLETION PROBLEMS AND ENSURE RELIABLE LONG DISTANCE SERVICE TO RURAL AMERICA

Arms Enforcement Bureau With Data Critical to Investigating Frequent Failure of Long-Distance Calls to Rural Exchanges While Creating Incentives to Encourage Providers to Immediately Improve Performance

Order Bans Transmittal of Ring Tones When There's No Connection

Washington, D.C. – The Federal Communications Commission today took major steps to remedy the serious and unacceptable problem of long-distance calls failing to reach rural homes and businesses.

New rules unanimously adopted by the FCC will provide immediate solutions and empower future agency enforcement efforts while giving providers incentives to improve their service.

Extensive comments to the FCC, testimony in a workshop with key stakeholders, efforts by the FCC's Rural Call Completion Task Force, and investigations conducted by the Enforcement Bureau leave no doubt that there are issues with long-distance call completion in rural areas. These problems may be the result of several factors, including higher-than-average charges for call termination in rural areas, and the numerous times that a call can be handed off among providers in a call path.

Whatever the reason, the consequences of failed calls can be life-threatening, costly, and frustrating. Rural businesses have reported losing customers who couldn't call in orders, while families attempting to contact elderly relatives have worried when they hear a ring – but no one picks up on the other end because the call never actually went through.

The Report and Order and Further Notice of Proposed Rulemaking adopted by the FCC requires key providers to record, retain and report rural call completion data to give the FCC the information it needs to investigate and eliminate the problem. Providers may use this information to improve performance on their own. The data will also allow state regulators to better monitor performance and identify problem areas.

As soon as the new rules take effect, providers will be barred from transmitting an audible ring to a caller's handset when the phone on the other end of the call is not actually ringing. As a result, callers will no longer prematurely hang up, and providers will get better information about call performance.

In addition to providing the FCC with data to better monitor and redress call completion problems, the Order includes a safe harbor provision with incentives for providers to improve their call completion

practices and performance. Building on a number of recent FCC actions, the Order includes the following provisions:

- Providers with over 100,000 lines that make the initial choice as to how to route a call must collect and retain data for six months and file quarterly reports.
- False audible ringing is prohibited (signaling that leads the calling party to believe the phone is ringing at the called party's premises when it is not).
- Providers taking advantage of the safe harbor, which incorporates an industry best practice to limit the number of intermediate long distance providers to two, will receive the benefit of reduced data retention and reporting obligations.
- To encourage providers to have all mechanisms in place to ensure calls to rural areas are completed, such as by meeting all industry best practices, providers will also have the option of requesting a waiver to have their retention and reporting obligations further reduced.

A Further Notice of Proposed Rulemaking seeks public comment on additional reforms pertaining to autodialer traffic, intermediate providers, and on other safe harbor options and reporting requirements.

Action by the Commission October 28, 2013, by Report and Order and Further Notice of Proposed Rulemaking (FCC 13-135). Acting Chairwoman Clyburn, Commissioners Rosenworcel and Pai with Acting Chairwoman Clyburn, Commissioners Rosenworcel and Pai issuing statements.

Wireline Competition Bureau Staff Contact: Gregory Kwan, 202-418-1191, gregory.kwan@fcc.gov

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