

UNITED STATES OF AMERICA  
FEDERAL COMMUNICATIONS COMMISSION

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CONSUMER ADVISORY COMMITTEE

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MEETING

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FRIDAY  
MAY 19, 2017

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The Advisory Committee met in the Commissioners Meeting Room, 445 12th Street, S.W., Washington, D.C., at 11:00 a.m., Ed Bartholme, Chairman, presiding.

COMMISSIONERS PRESENT:  
MIGNON CLYBURN, Commissioner

COMMITTEE MEMBERS PRESENT:  
EDUARD BARTHOLME, Committee Chairman  
ZAINAB ALKEBSI, Deaf and Hard of Hearing Consumer  
Advocacy Network  
ELIZABETH BARKET, Competitive Carriers  
Association  
DEBRA BERLYN, National Consumers League  
SEAN CARROLL, Massachusetts Department of  
Telecommunications and Cable\*  
AMINA FAZLULLAH, National Digital Inclusion  
Alliance\*  
B. LYNN FOLLANSBEE, USTelecom\*  
PAUL GOODMAN, Center for Media Justice Media  
Action Grassroots Network\*  
SUSAN GRANT, Consumer Federation of America  
JIM GRAVES, Electronic Privacy Information Center

MITSUKO HERRERA, National Association of  
Telecommunications Officers and Advisors  
SARA KAMAL, Public Knowledge  
ROSS LIEBERMAN, American Cable Association  
KENNETH MALLORY, National Association of State  
Utility Consumer Advocates  
KEN MCELDOWNEY, Consumer Action\*  
STEVEN MORRIS, NCTA- The Internet and Television  
Association  
ERIC NULL, New America Foundation, Open  
Technology Institute\*  
STEVE POCIASK, American Consumer Institute  
MARK RICHERT, American Foundation for the Blind  
KEVIN RUPY, USTelecom  
JONATHAN SCHWANTES, Consumers Union  
CARMEN SCURATO, National Hispanic Media Coalition  
KEVIN TAGLANG, Benton Foundation\*  
LARRY WALKE, National Association of Broadcasters  
OLIVIA WEIN, National Consumer Law Center  
KRISTA WITANOWSKI, CTIA- The Wireless Association

COMMISSION STAFF:

SCOTT MARSHALL, Designated Federal Official  
JAMES BROWN  
JERUSHA BURNETT  
ANITA DEY  
BRIAN HURLEY  
CHARLES MEISCH  
KAREN PELTZ STRAUSS  
MARK STONE  
PATRICK WEBRE

ALSO PRESENT:

LINDA VANDELOOP

\*Present by teleconference

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P-R-O-C-E-E-D-I-N-G-S

11:01 a.m.

CHAIR BARTHOLME: So welcome and thanks, everybody for taking time to come down to the Commission today or joining by phone. I also want to give a special thank you to Liz Barket and CCA for providing lunch for us and that should show up around noon. So, we get a meal out of this so, thank you, Liz, we're very appreciative.

Let's start by going around the table and doing introductions. I'm going to start with Scott Marshall to my right.

MR. MARSHALL: Hi, it's Scott Marshall with the CGB and I staff the committee. I think I've met everybody now. I think so. It's good to have you here. Thanks very much for coming.

MEMBER GRANT: Hi, Susan Grant, Consumer Federation of America.

MEMBER LIEBERMAN: Ross Lieberman, American Cable Association.

MEMBER RICHERT: Mark Richert, American Foundation for the Blind, also joined by

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1 my colleague, Sarah Malaier.

2 MEMBER ALKEBSI: Zainab Alkebsi,  
3 National Association of the Deaf, representative  
4 of Deaf and Hard of Hearing Consumers Advocacy  
5 Network.

6 MEMBER SCURATO: Carmen Scurato with  
7 the National Hispanic Media Coalition.

8 MEMBER WEIN: Olivia Wein, National  
9 Consumer Law Center and I am here with my  
10 colleague, Margaret Saunders.

11 MEMBER WITANOWSKI: Krista  
12 Witanowski, CTIA.

13 MEMBER BARKET: Liz Barket with CCA.

14 MEMBER SCHWANTES: Hi, it's Jon  
15 Schwantes, Consumers Union.

16 MEMBER GRAVES: Jim Graves, EPIC.

17 MEMBER WALKE: Larry Walke, NAB.

18 MEMBER MALLORY: Kenneth Mallory,  
19 National Association of State Utility Consumer  
20 Advocates and I am joined by our alternate  
21 Thaddeus Johnson.

22 MEMBER HERRERA: Mitsuko Herrera with

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1 the National Association of Telecommunications  
2 Officers and Advisors in Montgomery County. And  
3 I believe that my colleague, Rick Ellrod from  
4 Fairfax County, as an alternate, will also be  
5 here.

6 MEMBER MORRIS: Steve Morris from  
7 NCTA.

8 MEMBER KAMAL: Sara Kamal from Public  
9 Knowledge.

10 MEMBER POCIASK: Steve Pociask with  
11 the American Consumer Institute.

12 CHAIR BARTHOLME: And on the phone?

13 MEMBER TAGLANG: Kevin Taglang for the  
14 Benton Foundation.

15 MEMBER CARROLL: Sean Carroll,  
16 Massachusetts Department of Telecom and Cable.

17 MEMBER NULL: Eric Null, OTI.

18 MEMBER GOODMAN: Paul Goodman, Center  
19 for Media Justice.

20 MEMBER FOLLANSBEE: Lynn Follansbee,  
21 USTelecom.

22 CHAIR BARTHOLME: Anyone else on the

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1 line?

2 Okay, I wanted to say a special  
3 welcome to a couple of new members, who have  
4 replaced members with some of our organizations  
5 that had transitioned.

6 Kevin Taglang with Benton Foundation  
7 is on the phone. Jim Graves with EPIC, welcome.

8 MEMBER TAGLANG: Thank you.

9 CHAIR BARTHOLME: Amina is now  
10 switched from Benton to representing the National  
11 Digital Inclusion Alliance and she is on the  
12 phone as well.

13 Carmen Scurato --

14 MEMBER SCURATO: Scurato.

15 CHAIR BARTHOLME: Scurato, my  
16 apologies, with the National Hispanic Media  
17 Coalition, and Sara Kamal with Public Knowledge.  
18 And Kevin.

19 MEMBER RUPY: Kevin Rupy from  
20 USTelecom.

21 CHAIR BARTHOLME: Okay and Lynn's also  
22 on the phone from USTelecom.

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1           So keeping us on track, any logistical  
2       announcements, Scott? Just remember to raise  
3       your hand when you want to speak so that they  
4       recognize and activate your microphone. For  
5       those of you on the phone, I am going to do my  
6       best effort to make sure that I stop and ask if  
7       you have questions, thoughts, or input. If I,  
8       for some reason, forget, please email Scott and  
9       myself and we will get that information and then  
10      be more responsive to you. So, that should keep  
11      us moving along.

12           MR. MARSHALL: That should. It's  
13      Scott here. Yes, you can call me; that's probably  
14      better -- Ed has a lot to do here -- and we'll  
15      pause because there is no way the folks on the  
16      phone, while the mics are live, can really  
17      interrupt us. So, we've got to pause on a regular  
18      basis to make sure that you are able to  
19      participate fully.

20           CHAIR BARTHOLME: Great. So, first up  
21      today, we're going to have Consumer and  
22      Governmental Affairs Bureau update. And we have

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1 a new Acting Bureau Chief with CGB, Patrick  
2 Webre, and he's going to be joining us first.

3 MR. WEBRE: Good morning, everyone,  
4 and welcome to the Spring CAC Plenary Meeting. I  
5 want to thank Ed for his leadership of the  
6 committee and also Scott for being our tireless  
7 designated federal officer. And I want to thank  
8 all of you for your dedication to the cause of  
9 consumer education, empowerment, and protection.

10 About a month ago, I was privileged to  
11 be named by Chairman Pai as Acting Chief of CGB.  
12 This is sort of a homecoming for me, since I  
13 previously worked in CGB and focused a good deal  
14 of my time on consumer education and outreach,  
15 including the DTV transition, which I'm sure many  
16 of you remember. So, I know firsthand the  
17 importance of continuous consumer engagement and  
18 I am excited to serve in my new role and to be  
19 working with you.

20 Consumers' issues are among the most  
21 important to the Commission. Soon after being  
22 named to lead the agency, Chairman Pai met with

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1       you to talk about his interest in and his support  
2       of consumer-related issues. And when he recently  
3       spoke about his first 100 days as chairman, he  
4       again listed consumer protection as among his  
5       highest priorities.

6               We have seen some of these priorities  
7       already taking shape. In March, the Commission  
8       adopted an NPRM proposing ways for carriers to  
9       stop illegal robocalls before they reach  
10      consumers. We have also promoted broadband  
11      deployment in rural and unserved areas, taken  
12      steps towards greater disability access, and  
13      improved how we operate. You will be hearing more  
14      about these topics on your agenda today and there  
15      will be much more to come.

16             While we plan to do a lot, we can't  
17      do it alone. We need your help. You are the  
18      experts on consumer education, on disclosures to  
19      help guide consumer choice, and on so many other  
20      things. I know you have already been thinking  
21      about things like helping consumers avoid illegal  
22      robocalls and how to more easily file complaints

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1 when consumers do receive them. So, my thanks to  
2 you for all you've already done and for all you  
3 continue to do on behalf of American Consumers.

4 With that, I will turn it over to two  
5 of my deputies who will give you updates on their  
6 areas of responsibility. They are Mark Stone and  
7 Karen Peltz Strauss. And I believe Mark is going  
8 to go first.

9 Thank you.

10 MR. STONE: Good morning to all of  
11 you. Nice to see you all here. I wanted to give  
12 you a short overview of what CGB has been doing  
13 in my area since you all last met.

14 So no surprises here. We have been  
15 hard at work addressing illegal robocalls. In  
16 March, as Patrick mentioned, the Commission  
17 adopted proposals that would facilitate voice  
18 service providers' blocking of robocalls that are  
19 highly likely to be illegal robocalls, including  
20 those with caller ID and numbers that cannot  
21 exist or for numbers not yet assigned. And you  
22 will hear more about this later today but I want

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1 to mention it because it's an important step in  
2 the Commission's work protecting consumers from  
3 illegal robocalls. And that work was, in part, a  
4 response to the efforts of the industry's  
5 Robocall Strike Force. That group asked the  
6 Commission to help clear regulatory uncertainty  
7 so industry can better stop illegal robocalls  
8 before it can reach consumers. You will hear more  
9 about that later on, as well, but I want to  
10 mention that the Strike Force gave us an update  
11 on its work back in April and we are excited about  
12 their work and what it means for consumers.

13 And we continue to receive requests  
14 for clarification from parties seeking other  
15 regulatory uncertainty. One recent example is  
16 for a technology sometimes called ringless  
17 voicemail. In essence, it deposits voicemails  
18 for consumers without ringing the phone. The  
19 petitioner has asked the Commission to clarify  
20 that this type of technology is not subject to  
21 the TCPA's consent requirements.

22 As we do with all these requests, we

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1 have sought comment with reply comments being due  
2 on June 2nd.

3 Finally, I do want to note that we do  
4 actually do things other than robocalls on my  
5 side of CGB. In March, the Bureau granted an  
6 emergency temporary waiver to Jewish Community  
7 Centers to help them and law enforcement better  
8 respond to threatening phone calls. The waiver  
9 allowed JCCs and the carriers that serve them to  
10 access caller ID information on those calls, even  
11 when the caller has asked to mask that  
12 information. At the same time the Bureau granted  
13 that waiver, it also sought comment on whether to  
14 make the waiver permanent and we are reviewing  
15 that record now.

16 And lastly, I want to thank all of you  
17 for your hard work. I know it is still early in  
18 your term yet but I know you have hit the ground  
19 running and we really appreciate it.

20 I also wanted to specifically thank  
21 Scott Marshall for all his hard work organizing  
22 things from the FCC's perspective. Scott, thank

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1       you so much.

2                   MS. PELTZ STRAUSS:    Hi, I'm Karen  
3       Peltz Strauss and it's nice to see all of you  
4       again. As you know, I do the -- I receive the  
5       disability end of CGB. So I am going to bring  
6       you up to date on what we've done since we last  
7       met and then tell you about some upcoming items.

8                   First, in March, March 23, 2017, the  
9       Commission released a report and order on video  
10      relay services. The order contains a number of  
11      proposed improvements, trials, pilots.

12                  I will give you a couple of examples.  
13      We have authorized a trial of something called  
14      skills-based routing. For those of you who are  
15      not familiar with video relay service, it is a  
16      service that enables people who use sign language  
17      to communicate with other people through  
18      operators, who sign what a deaf person says or  
19      who actually, rather, speaks what a deaf persons  
20      signs to them to a hearing person, and then signs  
21      back to the deaf person. So, it is basically an  
22      interpreter.     It's called a communications

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1 assistant.

2 Right now, the way calls are handled,  
3 they are first come, first serve. So, you make a  
4 call, you connect with a video relay service, and  
5 the video relay service operator, whoever that  
6 communication assistant is, just connects your  
7 call.

8 We have authorized something called  
9 the trial of skills-based interpreters, which  
10 will allow the use of interpreters who have  
11 specialized knowledge of medical, legal, and  
12 computer support terminology to have calls routed  
13 specifically to them, to ease, to facilitate the  
14 communication that takes place over these calls.

15 We also are authorizing a trial of  
16 what is called deaf interpreters. Deaf  
17 interpreters work with hearing interpreters to  
18 facilitate communication for people that have  
19 lower or minimal language skills. So, you would  
20 have actually two interpreters and a person maybe  
21 with cognitive disabilities, or physical  
22 disabilities, or lower language skills, will then

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1 communicate with the deaf interpreter, who will  
2 then communicate with the hearing interpreter.

3 We also approved a pilot of something  
4 called at-home VRS call handling. Right now, all  
5 calls through VRS are handled at call centers.  
6 This actually authorizes at-home work stations  
7 that are very secure and private. We have put  
8 into place a number of safeguards to make sure  
9 that confidentiality and call quality is  
10 maintained. This is something that is new. We  
11 are trying it out, given the emphasis on telework  
12 in our society and we are going to give it a go  
13 for one year, beginning November. The other two  
14 trials start in August.

15 We are going to determine, based on  
16 various reports that we received from providers  
17 for both trials and pilots whether or not to  
18 continue these programs.

19 The VRS also announced that we will  
20 start publishing summaries of how fast each  
21 provider answers calls. That's called their  
22 speed of answer. We are trying to make this

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1 information public to allow consumers to have an  
2 easier time selecting amongst their providers,  
3 based on quality and a speed of service.

4 And we have amended our rules to allow  
5 hearing people to get what is called VRS numbers.  
6 VRS is a closed system. Up until now, only deaf  
7 people were able to get telephone numbers within  
8 the system. The benefit of a telephone number is  
9 that you don't have to use an IP address to call  
10 somebody. So you can just use a regular ten-  
11 digit number and reach a person who is using VRS  
12 but only deaf people were entitled to these  
13 numbers. So if you got, for example, a call from  
14 a VRS user and you wanted to call that person  
15 back, you could do so dialing a ten-digit number  
16 and you didn't need their IPS address. Again,  
17 the calls are taking place over broadband. This  
18 actually allows people who are hearing, who sign,  
19 to be able to get such numbers so that they could  
20 sign directly to people who are VRS users, kind  
21 of like Skype, FaceTime, et cetera, but it is  
22 within the VRS system. And a lot of people use

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1 equipment that is specially designed for the VRS  
2 system, so this allows a lot more direct  
3 communication between hearing people. For  
4 example, I sign but I couldn't get a number  
5 before. Now, I'll be able to get a number and I  
6 could sign to deaf friends and colleagues.

7 The VRS order also adopted a notice of  
8 inquiry on performance goals and service quality  
9 metrics. What we're trying to do is determine  
10 metrics that will achieve the congressional  
11 goals, such as functional equivalency through  
12 accuracy and interpretation, voice and video  
13 quality, interoperability, et cetera. And we  
14 asked a lot of questions about what these metrics  
15 and performance goals should be.

16 Finally, it adopted a further notice  
17 on the compensation, methodology, and rates for  
18 VRS, as well as a number of other issues,  
19 including whether to set aside some money each  
20 year from the relay fund for research and  
21 development, which we have done so far.

22 Next, we are engaged in making final

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1 decisions on the National Deaf-Blind Equipment  
2 Distribution Program. This is a program also  
3 called iCanConnect, wherein we provide up to \$10  
4 million annually from the relay fund to support  
5 local programs that distribute communications  
6 equipment to low-income people who are both deaf  
7 and blind. I know, for those of you who have been  
8 here before, I have mentioned this a number of  
9 times. Since 2012, we have operated the NDBEDP,  
10 which you learn to say very easily when you work  
11 in this area, but the iCanConnect program is a  
12 pilot program. It has helped I think about 4,000  
13 deaf-blind people so far.

14 In the past, we certified one state,  
15 one entity per state or territory to operate this  
16 program. The program is transitioning to a  
17 permanent program, no longer a pilot, as of July  
18 first, and we are now looking anew at the entities  
19 that should be certified in each of the states  
20 and territories. There are now 56 entities or  
21 territories and states; one in each state, plus  
22 D.C., Puerto Rico, U.S. Virgin Islands, Guam,

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1 American Samoa, and Northern Mariana Islands.

2 And we have been receiving, we  
3 received from around February 7th to April 7th  
4 applications from entities. And just this last  
5 week, May 12th, we released a public notice  
6 announcing certification of the first 13  
7 entities. We are doing this on a rolling basis.  
8 So we are going to continue releasing notices  
9 announcing the entities that are getting  
10 certification.

11 Next, we have one of the committees  
12 that is parallel to yours, the Disability  
13 Advisory Committee has been renewed for a second  
14 term. It held its first meeting on March 21st  
15 and the next meeting is June 16th. So, we invite  
16 you all to that.

17 We are continuing our efforts to try  
18 to promote something called direct video calling.  
19 I can't remember whether I mentioned this to you  
20 before but this is an effort which is slightly  
21 different than relay services, which promotes the  
22 use and placement of people who are deaf or hard

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1 of hearing who sign in customer service centers,  
2 so that people who sign who are deaf can  
3 communicate directly with those individuals.

4 So, for example, Verizon or Microsoft,  
5 both of them actually have this, at present, have  
6 deaf individuals in their customer service  
7 centers and a person who signs can call directly  
8 over broadband and communicate with that  
9 individual, without having to go through a relay.  
10 It makes a lot of sense in today's day and times  
11 to have those individuals placed there. The  
12 calls are more private; they are more accurate;  
13 they are faster.

14 So now just for some things that are  
15 coming up. On Monday, in honor of Older Americans  
16 Month, May 22nd from 1:00 to 2:00 EDT we will be  
17 hosting a webinar focused on a range of  
18 telecommunications and video programming issues  
19 related to older Americans. The event is free  
20 and registration is not required. It will be  
21 streamed live on our website, [www.fcc.gov/live](http://www.fcc.gov/live)  
22 with open captions and it will provide

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1 information and tips about the value of broadband  
2 activity, dealing with robocalls, our favorite  
3 topic, reporting suspicious calls to the FCC's  
4 Consumer Complaint Center, and a host of  
5 disability access matters, including rules  
6 governing hearing and compatibility, closed  
7 captioning, emergency access, and relay services.

8 Next, in June, we will be recognizing  
9 outstanding private and public sector ventures  
10 that advance accessibility for people with  
11 disabilities in our annual awards ceremony for  
12 the Chairman's Awards for Advancement in  
13 Accessibility. Those will be -- the ceremony  
14 will be held on June 13th at 4:45 at the M-  
15 Enabling Summit at the Renaissance Hotel in  
16 Arlington, Virginia. The Chairman will be also  
17 giving the keynote at that event and I can say we  
18 have some phenomenal winners this year. We  
19 received nominations between February and April  
20 for innovations that were introduced to the  
21 public all last year, 2016.

22 Finally, I just want to mention two

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1 video programming requirements that are about to  
2 go into effect. These are pursuant to rules that  
3 were adopted in the past.

4 The first one has to do with multi-  
5 video programming distributors or MVPDs. In  
6 response to rules adopted in 2015, as of July 10,  
7 2017, these distributors will have to pass  
8 through audio information about emergencies, when  
9 they are provided on linear programming accessed  
10 on second screen devices, such as tablets,  
11 smartphones, laptops, and similar devices, when  
12 the programming is sent over the MVPD's network  
13 as part of their MVPD services.

14 And the purpose of this -- that is a  
15 lot of legal jargon. The bottom line is that  
16 emergency information shown over these second  
17 screens via linear programming has to be  
18 accessible to people who are blind and visually  
19 impaired and it has to be done through audio.

20 So, we already had requirements. This  
21 is pursuant to the 12th Century Communications  
22 and Video Accessibility Act. We already had

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1 requirements in place requiring such emergency  
2 programming on television to be accessible. This  
3 expanded it to second screens, linear programming  
4 on second screens. Again, it goes into effect on  
5 July 10th.

6 Another deadline and the last thing  
7 that I will talk about is that IP -- that clips  
8 of video programming shown live or near-live --  
9 and near-live is basically your late night shows  
10 that are pre-taped only a few hours before they  
11 are shown live -- when they are shown on  
12 television, if clips of those live or near-live  
13 programs are then shown via internet protocol,  
14 they are going to have to have captions as of  
15 July first of this year.

16 So, that's all I have. Thank you very  
17 much and it's great to see all of you again.

18 CHAIR BARTHOLME: So, Commissioner  
19 Clyburn has come into the room and I would like  
20 to invite her to come up and say hello, if she  
21 has a couple of minutes.

22 And then we will do questions, if you

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1       guys can stick around for a minute after that.  
2       Thank you.

3               COMMISSIONER CLYBURN:   Well, hello.  
4       That will be the most compliant I am all day.

5               So, it is so great -- number one, I'm  
6       sorry I'm not going to be able to spend as much  
7       time with all of you as I would like. But I just  
8       wanted to, once again, thank you. Just to listen  
9       to the end of the report from Karen, is a reminder  
10      and it underscores just how important your role  
11      is and how much that we benefit from hearing all  
12      of your points of view. Because if there is any  
13      one thing, regardless of what happens, you know  
14      behind us once a month, or regardless of how much  
15      we might posture or differ, the one thing we can  
16      agree on is that communities, particularly in  
17      communities where the market forces may not  
18      address all of their needs, that you are our eyes  
19      and ears on the ground, making sure that we answer  
20      the call.

21              So, I always thank you but I cannot  
22      thank you enough. The American public will not

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1 be able to thank you enough for, again, being our  
2 conscience, because that is what you are. You  
3 are our consciences and it will take everybody at  
4 this table and so on -- and I am remembering this  
5 commercial. I think it was a Pantene commercial,  
6 and so on, and so on, and so on.

7 I don't have good hair but you know  
8 I've got good intentions and if we continue with  
9 that and so on, and so on, and so on, and knowing  
10 that even though you are representative, we need  
11 to ensure that the circle is always widened in  
12 terms of the players, in terms of the  
13 responsibilities we have; in terms of what you  
14 need to remind us of as policymakers. Each time  
15 we come, or each time you assemble, you will have  
16 yet another positive nugget or a positive policy  
17 story to be able to share.

18 So in the two minutes that I have left  
19 before I am supposed to be getting into a car --  
20 it's nothing personal but I am going to eat lunch  
21 today because I didn't do it yesterday.

22 I don't know if you have any questions

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1 or concerns.

2 One of the things you are going to  
3 talk about and I was really hoping to be there --  
4 I know she is -- Montgomery County always is going  
5 to raise her hand. But before I turn over and  
6 look at her, you know I just like to pick on her.

7 But I am not going to be able to hear  
8 about something that has gotten a lot of news  
9 coverage and of course takes up a lot of our time  
10 and you are going to take that up, I believe,  
11 before lunch when it comes to unwanted calls. It  
12 is -- I got a call -- I'm trying to prep for the  
13 meeting and I see my cousin, who doesn't call  
14 often, she calls. So I'm like -- is this being  
15 taped?

16 (Laughter.)

17 COMMISSIONER CLYBURN: Anyway, so  
18 she's calling. I'm like ugh. I said but no, this  
19 is my cousin. She doesn't usually call. So I  
20 pick up the phone -- well, I called her back. And  
21 I said is anything wrong. She lives in  
22 Charleston, not far from my house, so I'm scared

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1       there is anything wrong. She said you know, I  
2       clearly get about eight to ten calls a day on my  
3       landline. I'm like, Lord! I write down the  
4       numbers, I do all -- what can I do? I just can't  
5       take it. This is too much. And you know I've  
6       gotten savvy; I know what not to say; how to  
7       respond; all these other things. I'm on the Do  
8       Not Call List. I'm on this. I did everything I  
9       know to do. Now, I'm taking down numbers.

10               I said fabulous that you are taking  
11       down numbers. I would love for you to take that  
12       another step and be among the hundreds of  
13       thousands that have reached out to the FCC and  
14       complained but you have gone a step further by  
15       writing down numbers that are repetitive.

16               Look, we need to do everything that we  
17       can for me not to have to talk to my cousin so  
18       frequently, as much as I love her.

19               And so it's important. It affects all  
20       of us and I'm chuckling today because, literally,  
21       I am trying to prep for that meeting and she said  
22       I can't take this anymore. I'm like, neither can

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1 I.

2 So thank you for what you do. We are  
3 going to be innovative, all hands-on, Strike  
4 Force and everybody else working to see what  
5 relieve we can bring. It will never be enough  
6 but the efforts will always be worth it.

7 Yes, ma'am, the gentlelady from  
8 Montgomery County?

9 MEMBER HERRERA: Thank you, ma'am.

10 I just want to follow-up on the idea  
11 of being the conscience on the Commission through  
12 several chairmen.

13 COMMISSIONER CLYBURN: Thank you.

14 MEMBER HERRERA: And I would like to  
15 know, we were just having a conversation this  
16 morning and a lot of us were talking about there  
17 was a lot of hard work that went into efforts,  
18 things like Lifeline reform.

19 COMMISSIONER CLYBURN: Yes.

20 MEMBER HERRERA: And there is a sense  
21 of these things being rolled back. There is a  
22 sense that there is a lot of conversation about

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1       how we can help industry and not much  
2       conversation about how we are helping consumers  
3       in underserved areas.

4               Do you have some thoughts of how can  
5       we be, as the CAC, an effective conscience?

6               COMMISSIONER CLYBURN:     We need to  
7       continue to make the business case for everything  
8       we do. And what I mean by that, I appreciate you  
9       bringing up Lifeline. Lifeline for those who are  
10      economically stressed could be the conduit for so  
11      many of the technological and other benefits that  
12      our communities need.

13              We need to do a better job maybe  
14      working with healthcare professionals,  
15      particularly those who work with the underserved  
16      and those who have, again, economic challenges,  
17      to see whether or not there are devices,  
18      concepts, software, zero-rating packages, to get  
19      politically charged -- we have shown yesterday  
20      that we don't have a problem taking certain  
21      stances, right -- that we can build perpetually  
22      better models.

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1           So I think we need to expand, be  
2     Pantene models, expand our reach with the -- how  
3     do I want to describe them -- with those who  
4     provide the services that could be better  
5     delivered through a more connected model, through  
6     a phone that doesn't have de minimis service,  
7     through a device that might have some type of  
8     software or sponsored data compliment that would  
9     be -- so I think we need to do a better job going  
10    to the healthcare providers, the other agencies  
11    that provide goods and services, and the like,  
12    and to try to make the business case from the  
13    outside-in. I think that will help us come to  
14    better conclusions and kind of shift the  
15    narrative, so to speak.

16           We need to do a better job showing the  
17    benefits. We know it. We can see it. But I  
18    don't think we do a great job connecting the dots  
19    with the goods and services. With the end user  
20    goods and services, I think we can do a better  
21    job and I commit to being a partner on that.

22           Did you have another part to that

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1 question? Because, again, I didn't eat breakfast  
2 either, so I'm kind of rough here.

3 MEMBER HERRERA: No, I just would be  
4 remiss if I did not thank you that when you were  
5 Acting Chairman, the only woman chairman of the  
6 FCC, you went and approved the prison calling  
7 reform, which I think is not only being the  
8 conscience but actually putting actions, not just  
9 talking about it, but taking action.

10 And I think that what you have  
11 outlined about the business case in talking about  
12 the importance of connecting people to their  
13 communities was more important and that is a good  
14 lesson for us to kind of keep in mind in those  
15 things.

16 COMMISSIONER CLYBURN: Thank you so  
17 much. You are going to make it hard for me to  
18 pick on you today after that.

19 But I really want to thank you and it  
20 takes partners, like you talking about this,  
21 talking about some of the challenges with -- I  
22 use your county as an example in so many ways in

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1 terms of how we need to make sure that this agency  
2 and others, when we talk about 5G and other small  
3 cells, that we do not disadvantage you; that we  
4 don't make your jobs harder; that we provide you  
5 with the tools and maybe sometime with a place to  
6 talk about some of these issues; that if we can  
7 be sort of a neutral party when things get a  
8 little tough, you know speaking with some of the  
9 representatives at the table and others, that we  
10 work things out as opposed to, again, getting a  
11 little political again, maybe, the nuclear option  
12 in terms of preemption.

13 I think there is a lot of real estate  
14 to travel along before we go to what I would call  
15 the FCC nuclear option, when it comes to that.  
16 And I really hope that we can talk more about how  
17 we can empower cities and how we can gain a better  
18 understanding with providers, to provision those  
19 services that people need to make their lives  
20 better.

21 Any other questions before I -- you're  
22 been very generous. Thank you.

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1 Well, I'll always be here, except when  
2 I'm hungry. But sincerely, thank you all for what  
3 you do. You know how to contact me. And anything  
4 I can do to make your lives easier to really do  
5 more to ensure that the American public,  
6 particularly those who might be more vulnerable  
7 -- there are more than 50 million people who we  
8 have identified, and that numbers is growing as  
9 we get more mature, that we have identified that  
10 might have advanced or special needs that will  
11 require more by way of technological assistance,  
12 a way they could benefit more. You know 50  
13 million people, that is significant and I think,  
14 again, with your continued support, we can answer  
15 the call of them, of inmates, of cities, and of  
16 all of you.

17 So thank you very much. I appreciate  
18 it.

19 CHAIR BARTHOLME: Does anybody have  
20 questions for -- Mark.

21 MEMBER RICHERT: Thank you. Mark  
22 Richert, American Foundation for the Blind. I

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1 want to congratulate the Commission on doing next  
2 Monday's webinar. It is very important to be  
3 reaching out to the aging community.

4 I wanted to mention for this group  
5 that the American Foundation for the Blind, over  
6 the last really about a year or so, has been  
7 launching something called the 21st Century  
8 Agenda on Aging and Vision Loss. There may be  
9 folks in this room, either directly or through  
10 your network who may be interested in at least  
11 knowing about what we're doing there and  
12 participating perhaps in that. If you were to  
13 visit [AFB.org/aging](http://AFB.org/aging), you'll find out about that.  
14 So, I wanted to mention that but I wanted to  
15 congratulate the Commission on doing this webinar  
16 next Monday.

17 Karen, I had a question for you about  
18 it. It seems like the focus of the webinar is on  
19 communications, not -- will it also extend to  
20 anything touching video programming?

21 MS. PELTZ STRAUSS: Hi, Mark. Thanks  
22 for your question. It is going to touch on video

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1 programming as well. For the disability segment,  
2 the individual that is going to be presenting  
3 from the Disability Rights Office will touch on  
4 accessibility tools for video programming.

5 MEMBER RICHERT: Okay, great. You  
6 went through the litany of things that were going  
7 to be on the agenda of closed captioning,  
8 emergency information, et cetera, and I would  
9 encourage the Commission to be sure to emphasize  
10 the value of video description. This will be a  
11 tremendous opportunity to get the word out about  
12 something that our community in blindness and low  
13 vision has -- you know I think we've done what we  
14 can and we're going to do more but it will be a  
15 great opportunity and I hope the Commission will  
16 emphasize that next Monday.

17 MS. PELTZ STRAUSS: We'll make sure  
18 that they do -- that we do that.

19 CHAIR BARTHOLME: Mitsy.

20 MEMBER HERRERA: Hi, I have a  
21 question. In looking at the robocall NPRM that  
22 was released, the Commission is basically

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1 suggesting, along the lines you specified, that  
2 there were certain types of calls because they  
3 are spoofed or they are not registered that are  
4 likely to be fake.

5 The question I have is it looks like  
6 this would be a voluntary effort that providers  
7 could do and you are essentially creating some  
8 safe harbors for them so that if they do it, they  
9 won't have legal issues with it.

10 The question I have for you is, if it  
11 is voluntary, is the FCC going to report and make  
12 available to consumers which providers are doing  
13 it.

14 MR. STONE: So I'm not sure that we  
15 asked those questions whether we should do that  
16 in the notice. So that is something certainly we  
17 could consider, certainly if folks made the point  
18 in the record. I don't think though,  
19 necessarily, we teed that up squarely.

20 You know we would certainly hope that  
21 providers with -- if there is legal cover  
22 provided by any ensuing order that would say it's

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1       okay. It's not a problem to not complete these  
2       calls. When the calls are highly probable to be  
3       illegal, go ahead and block those calls. And we  
4       would certainly, as part of that, encourage that  
5       happening.

6               As far as how there would be  
7       accountability or the FCC sort of making public  
8       who does that and who does not is not something  
9       that is squarely teed up.

10              MEMBER HERRERA: And the second one is  
11       that in there you noted that there 10,000 victims  
12       that the IRS reported of tax scams. If people  
13       had a -- it was a robocall or some kind of fake  
14       call that was used to do that, for those victims,  
15       do they report that it came over the phone to the  
16       IRS? Do they provide it to the FTC? Do they  
17       provide it to the FCC?

18              MR. STONE: So we always think when  
19       there is an illegal robocall consumers are more  
20       than welcome and should file complaints with us.  
21       The IRS is also very interested in that as well.

22              The FTC, I think, generally tends to

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1 focus more on sort of deceptive marketing  
2 practice and things like that but the FTC is  
3 always a resource as well.

4 So we are -- and I know that you all  
5 are interested in this. We are certainly working  
6 on enhancing our current robocalls outreach and  
7 guidance, including addressing questions like  
8 that. Where should a consumer come in the  
9 specific case with a specific question? So we  
10 are working on that. It's a great question.

11 CHAIR BARTHOLME: Anybody on the line?

12 Thank you guys for doing this.

13 Next up we have an update on the  
14 incentive auctions and what happens next with  
15 Charlie Meisch, who is the Senior Advisor for  
16 Communications and Policy on the Incentive  
17 Auctions Task Force.

18 MR. MEISCH: Thanks all of you all for  
19 having me back. And I wanted to say thanks to  
20 Mark and Karen, who just left the room, for making  
21 sure there was a buffer between myself and  
22 Commissioner Clyburn, who probably had better

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1 one-liners in two minutes than I will have in the  
2 next 15.

3 So, I was here I think for the January  
4 meeting and we had just hit the final stage rule  
5 of the auction. So we used some results but not  
6 all of the results. And later that afternoon, we  
7 released our plan for figuring out the  
8 transition, the post-auction transition  
9 schedule.

10 So what I can do today is tell you the  
11 rest of the results of the auction, in case you  
12 missed the several days of press that ensued back  
13 in April, giving you a little bit more of window  
14 into the post-auction transition, which I think  
15 the area where we would all agree, certainly the  
16 Task Force agrees, that this group could be most  
17 helpful in helping us get the word out on what  
18 consumers can expect over the next three years.

19 I will tell you a little bit about or  
20 an update on what we're doing for consumer  
21 education and I will give you a little bit of a  
22 preview of our plans. So back in January we

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1 started to put that in motion.

2 And then because this came up in the  
3 questions back in January, I want to give a quick  
4 update on what we're doing for low-power TV and  
5 transmitter stations.

6 So starting with the forward auction  
7 results, sort of generally, these are some things  
8 you heard when I was here in January. The auction  
9 repurposed 84 megahertz of spectrum from the UHF  
10 TV band for mobile broadband use; 70 megahertz of  
11 that was licensed, for licensed use that was  
12 auctioned; and then the other 14 for unlicensed  
13 use and wireless microphones.

14 We brought in \$19.8 billion in gross  
15 revenues from the auction that translated to  
16 maybe \$19.3, after credits for small business and  
17 rural bidders.

18 A little over \$10 billion went to  
19 winning broadcasters, which as you have heard  
20 now. You know the broadcasters couldn't talk  
21 about this when I was here in January but since  
22 then, a number have come out and talked about

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1 specifically what they are going to do with that  
2 money, including some are reinvesting it in their  
3 facilities, or in programming, or starting other  
4 types of projects related to localism and news  
5 gathering. Interesting stuff happening there.

6 And of course, \$7.3 billion to the  
7 Treasury for deficit reduction. That number was  
8 around \$6 billion when I was here in January but  
9 there was more bidding to be done. So this where  
10 we have ended up to this point.

11 The remainder of that money, as I  
12 think you know, most of which is the \$1.75 billion  
13 that will go to reimbursing broadcasters who are  
14 still on the air who have been reassigned to new  
15 channels.

16 On the reverse side of the auction, in  
17 particular, this is the broadcaster portion of  
18 the auction, there were 175 winning stations. Of  
19 those, 145 which successfully bid to go off-air  
20 but that doesn't mean what you think it means.  
21 The off-air option essentially meant that the  
22 bidder was willing to relinquish their current

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1 license solely in exchange for some level of cash  
2 payout, monetary payout, as opposed to the next  
3 category we are going to talk about in a second.

4 But of those 145, though, 92 percent  
5 of them have expressed an interest in sharing a  
6 channel with another station in their market.  
7 They have stated the intent to channel-share.  
8 They have the option to do so. Some have already  
9 negotiated and filed agreements with the  
10 Commission saying that they are going to share  
11 the particular station in the market. And there  
12 are several months for the stations to continue  
13 negotiations, if they haven't actually filed or  
14 reached an agreement already. So we'll know more  
15 in the coming months how many of those 133  
16 stations actually effectuated a channel-sharing  
17 agreement.

18 The other 30 winners were band  
19 changing winners. In other words, those stations  
20 bid to relinquish their current license in  
21 exchange for a less of a monetary payout and a  
22 new license to operate on a different channel

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1 lower in the TV band somewhere in the VHF band.

2 And the thing that really jumped out  
3 of the results, at least from our perspective, is  
4 you had winning stations sort of covering any  
5 category you can think of. You had commercials  
6 stations and non-commercial stations, stations  
7 owned by large station-owner groups and  
8 independent stations, you had them in big  
9 markets, in small markets, rural markets.

10 And very interesting, to me anyway,  
11 was the fact that the amount of the winnings  
12 really varied. You had nine-figure winners, and  
13 you had the largest of which brought in --  
14 individual station, that is, that brought in over  
15 \$300 million. You had several stations that won  
16 the six-figure winnings.

17 So how these stations really defined  
18 the economic opportunity that was available to  
19 them at this auction was a choice they made on  
20 their own and it varied. There was no cookie  
21 cutter way of looking at that.

22 On the forward auction, speaking of

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1       diversity, we had 50 different winning bidders  
2       for the licenses. As you probably read, the two  
3       largest winners, both in terms of the number of  
4       licenses won and the amount of money they did  
5       were T-Mobile and DISH.

6               And we have now the licensing process  
7       for these new licenses is underway. Just  
8       yesterday we -- I wouldn't blame you if you missed  
9       this, given all the other news yesterday, but the  
10      first batch of applications that have been  
11      accepted for filing in this process, we even put  
12      out a public notice on that, which means that we  
13      completed the initial review, the applications  
14      were complete and we can now begin the public  
15      process of reviewing those licenses and the  
16      public can petition if there are concerns in that  
17      process.

18             Speaking of processes underway, so  
19      now, we are officially, as of the middle of April  
20      we closed the auction, we are in the post-auction  
21      transition process.

22             What does that mean? This is the

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1 process by which we, along with the broadcast  
2 industry are going to work to clear this new 600  
3 megahertz wireless band by reassigning stations  
4 to new channels and then they do the construction  
5 and other engineering required to effectuate  
6 those changes.

7 You can see on the screen here there  
8 are a little over a thousand stations who don't  
9 need to do anything. They can remain on their  
10 current channel, which leaves 987 stations who  
11 have been reassigned; 30 of those are the band-  
12 changing winning bidders from the auction that I  
13 mentioned earlier. They bid to move to a new  
14 channel. They will pay for those moves using part  
15 of their monetary wins from the auction.

16 The image on the screen here is an  
17 example of the sort of engineering physics  
18 challenge that the Commission faced in trying to  
19 determine the order in the schedule of this  
20 transition. Moving 987 stations at the same time  
21 would be an immense coordination effort and  
22 leaves a lot of room for Murphy's Law, I guess.

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1           So what we did is we put together a  
2 plan that tries to make sure that we can break up  
3 what you are looking at here, this massive daisy  
4 chain of stations that can't move unless the  
5 other moves, which can't move unless the next guy  
6 moves, and so on and so forth.

7           And as I mentioned before, when I was  
8 here in January, we had just put out the final  
9 adopted plan determining that order and schedule.  
10 What we put out, along with the closing PN in  
11 this auction is the actual schedule. And what it  
12 does is it breaks all of the 987 stations into  
13 ten phases that will -- they have all begun and  
14 over the next 39, I guess now 38 months, you know  
15 stations will be, as I mentioned before, doing  
16 the construction and engineering required to  
17 effectuate a channel move.

18           The key date I think in terms of  
19 consumer outreach, or one of the key dates --  
20 actually all ten of these are key dates but the  
21 first one is that phase on ends on November 30,  
22 2018. Okay, so we have got about a year and a

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1 half before we get to that point.

2           However, there may be some consumer  
3 rescanning required before we get to the end of  
4 phase 1. Why is that? We have winners, stations  
5 who have agreed to off-air and actually intend to  
6 do so. We know that at least that is the 12  
7 stations who didn't indicate they wanted to  
8 channel share but they wanted an off-air bid. And  
9 then the channel-sharers themselves who when they  
10 actually effectuate those agreements or  
11 consummate those agreements, then they will move  
12 on to someone else's facility and share a  
13 channel. And so in that market, they will have  
14 to let their viewers know that they are moving,  
15 which is why we have started putting into motion  
16 some of the outreach efforts and the education  
17 efforts that I described back in January.

18           We see our role in this process as  
19 complementary to the -- I think Chairman Pai put  
20 it really well at the NEB show. He made the case  
21 that look, if you're trying to get a message out  
22 that is important in a local community, there is

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1 no better way to do that than their local  
2 broadcast stations. And obviously, the stations  
3 themselves have an incentive to make sure their  
4 viewers know where to find them, when they move.

5 So, our view is we have a supporting  
6 role to play. One of the ways we can do that is  
7 to leverage the fact that consumers actually do  
8 rely on us for information on how to access over-  
9 the-air television and things like that and what  
10 stations they have available to them. So I'm  
11 going to get into that a little bit in a second  
12 here.

13 We want to make sure that the  
14 consumers and households that are the hardest to  
15 reach, I'm thinking traditionally this is  
16 seniors, this is Americans with disabilities,  
17 these are households where English may not be the  
18 first language spoken. How do we get into those  
19 homes to make sure that they're receiving the  
20 message here?

21 And then the groups represented here  
22 and other national partners that we work with

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1       who have an interest in making sure folks get the  
2       message, how can we work with you and support you  
3       in those efforts?

4               So, a few of the things that I was  
5       talking about January are already in place, as I  
6       said. The two main ways that consumers interact  
7       with us is through our Consumer Call Center and  
8       on our website. And so right now on the consumer  
9       web page, there is a section dedicated to post-  
10      auction Q and A. How will I find out where my  
11      stations have moved? What do I need to do? If I  
12      am a cable or satellite customer, do I need to do  
13      anything? Questions like that. This Q and A is  
14      also the basis for if we do get calls from  
15      consumers in the Call Center. To my knowledge,  
16      we have not but, as the news starts to spread  
17      that this is happening and happening soon, we  
18      expect that we will.

19              What is on the web today is in both  
20      English and Spanish and we are working on other  
21      languages as well. And we also have a printable  
22      version of this that, a downloadable version that

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1       our partner organizations can use in packets or  
2       if there is opportunity to distribute  
3       electronically, we will work with them.

4               I also mentioned back in January that  
5       we are working on PSA-style video showing folks  
6       how to rescan their TVs, their tuners to make  
7       sure they are getting -- reflecting any changes  
8       in the over-the-air lineup. That is now live.  
9       It's available. The ULR on the screen,  
10      [www.fcc.gov/rescan](http://www.fcc.gov/rescan), you can view or download the  
11      video. We are trying to figure out, we are  
12      working with the broadcast industry right now to  
13      figure out how to best make this available to  
14      stations, should they want to use it to spread  
15      the word.

16              Two of our most popular consumer  
17      guides downloaded from the Consumer CGB website,  
18      one is what kind of over-the-air antenna do I  
19      need. And we've updated that as well as what I'll  
20      call the paper version, the analog version of the  
21      PSA that I just described on rescanning. These  
22      are two of our most popular and we have updated

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1       them to reflect what consumers may need to know  
2       now that the incentive option is over and the  
3       repack is upon us, particularly to the extent  
4       that there are markets that were maybe UHF only  
5       before but now they have got some stations who  
6       moved to VHF. You may need a dual band antenna.  
7       So you need to make sure you have one.

8                 Similarly, we have got these consumer  
9       tip cards. We have got one on the rescanning. I  
10      think we've got one in the works on the antenna  
11      purchasing. This is great. I actually brought  
12      these to the NAB show and we brought these out to  
13      have them available for other events, if we can  
14      find a way to distribute them but it is an asset  
15      we have that we can deploy.

16                This is really more related to the  
17      post-auction transition itself but it has to the  
18      potential to pay some dividends on the consumer  
19      education side. The Media Bureau announced that  
20      we were going to assign regional coordinators to  
21      ten geographic regions, so that during the repack  
22      itself we can gather information that may be

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1       useful. You know say we find something in phase  
2       1 for a station in Georgia that they are  
3       experiencing that may also be useful information  
4       in phase 5 in that same market. Or if we find a  
5       particular issue with supply chain in the region,  
6       or something like that, we can share information  
7       and try to address that at the Commission level  
8       as quickly as possible.

9               But the other thing it allows us to  
10       do, it gives us someone who is listening to what  
11       is happening in different regions that may impact  
12       consumers. And having that early warning system  
13       built into our transition process helps us share  
14       information, whether it's internally or perhaps  
15       in working with groups represented here and  
16       others, to make sure that we're working in unison  
17       with the best information.

18               So what else do we have coming out?  
19       Right now, and I think this is going to be an  
20       iterative process, a list that grows, but we are  
21       working on another -- we have a consumer guide  
22       that directly addresses unlicensed wireless

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1 microphones. These are in the new wireless  
2 microphone-ruled regime that has come out of the  
3 changes from the auction, if your organization  
4 has fewer than 50 mics in use, then you really  
5 would qualify for the unlicensed. So we have  
6 heard from everything from churches to community  
7 theaters, to high school sports and the like,  
8 local TV that is using unlicensed, they want to  
9 know what do we need to do; how do we make sure  
10 we are interfacing with the white space databases  
11 and understanding what our obligations are. So  
12 we are working, the CGB and the Office of  
13 Engineering and Technology are working on that  
14 now and that should be ready fairly soon.

15 I mentioned before that there are  
16 going to be markets where stations may be moving  
17 or going off-air before November of 2018 and so  
18 we are gathering the data on that now. It will  
19 be informed a little bit by some processes that  
20 will go on this summer, where the reassigned  
21 stations can come to the Commission and ask for  
22 some modification to the assignment, the facility

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1       that we've assigned them. So, once we know for  
2       sure where everyone's going to end up, then we  
3       can start to do a little bit of advanced work in  
4       these markets.

5               In addition to our consumer tips being  
6       some of the most popular downloads on the CGB  
7       site, it is our most popular social media content  
8       as well. And so we are working on a plan now to  
9       build a campaign around social media for the  
10      consumers' tips I've just described, as well as  
11      finding one other way to give a heads up as a  
12      phase deadline or other key deadlines that are  
13      coming up.

14             And last but not least, getting the  
15      National Partner Outreach moving. I am here with  
16      you today. I hope I will be back to give you  
17      further updates but I'm also meeting with and  
18      giving a briefing for the Disability Advisory  
19      Committee next month, as well as the  
20      Intergovernmental Advisory Committee. And I will  
21      speak to anyone who will listen, which brings me  
22      to point 2.

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1           We have a list of national meetings  
2           coming up over the next few years and we're  
3           working on a plan for doing whatever will be  
4           useful in that context and the same with point 3  
5           here, which is what can we do and how can we help  
6           at the chapter level, local level getting the  
7           word out.

8           Quickly, as promised on LPTV, so I  
9           think the question I got last time was do we know  
10          the impact on LPTV, generally speaking and  
11          specifically on how that might impact diversity,  
12          viewpoint diversity in the media landscape. The  
13          answer remains not quite yet because, as I  
14          mentioned last time, we won't actually know for  
15          sure which stations would be displaced until we  
16          get through the process I just described a moment  
17          ago, where throughout the summer we will have one  
18          last chance to see where all the other auction  
19          and reimbursement-eligible stations end up. We  
20          have given them our assignments. They have two  
21          opportunities to come in requesting changes.  
22          Once we get through that process, we will have a

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1 solid database of what the remaining available  
2 channels will be on a very, very geographic-  
3 specific basis.

4 And we just outlined for the LPTV and  
5 translator industry through a recent PN what they  
6 can -- you know the time line and the procedures  
7 for them coming in to us; once that database is  
8 solid, to come to us and make requests. What  
9 happens if two stations or more request the same  
10 thing, that could be in conflict. What other  
11 steps can they take to mitigate the impacts,  
12 including minor modification, engineering  
13 modifications that they can make to avoid  
14 interfering with other stations.

15 So I think more on that to come.

16 All of the information that I have  
17 just described and a plethora of other things are  
18 available on the web at [fcc.gov/incentive-](http://fcc.gov/incentive-auctions)  
19 [auctions](http://fcc.gov/incentive-auctions), plural. Here you will find everything  
20 from the schedule for the repack and the  
21 transition, all of the Commission-level and  
22 Bureau-level decisions related to the auction and

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1 the transition, the consumer page, auction  
2 results, transition, data files for broadcasters,  
3 pretty much anything you can think of I hope is  
4 on there.

5 Take a look. If you find something  
6 missing or something you'd like to see, call or  
7 email me. And I realize my phone number is not  
8 on there but email works just fine.

9 Speaking of questions, I can take some  
10 if you have any.

11 CHAIR BARTHOLME: Anyone have  
12 questions? Zainab.

13 MEMBER ALKEBSI: Hi. Thank you. So  
14 you mentioned that the consumer information will  
15 be shared in English, and Spanish, and that you  
16 are working on other languages at the moment.  
17 Will that include American Sign Language?

18 MR. MEISCH: Excellent question. If  
19 it is okay, I would like to get back to you  
20 because I don't have the list but I think that's  
21 important.

22 MEMBER ALKEBSI: Okay, thank you.

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1 Yes, I do want to make sure that that information,  
2 which is very valuable, is accessible for the  
3 deaf and hard of hearing community. Thank you.

4 MR. MEISCH: So I should add, I mean  
5 anything that is on the website, the website,  
6 obviously, will be in compliance with 508. So at  
7 least in that context, it will be available but  
8 I will check for more.

9 MEMBER MCELDOWNEY: Hi, this is Ken  
10 McEldowney. I guess a follow-up question to that  
11 is, I mean think it would be important to look at  
12 the stations that may be going off the air and  
13 sharing channels and finding what languages they  
14 broadcast in and making sure that the information  
15 is provided in those languages.

16 MR. MEISCH: That's a great point.  
17 And at least on the station side, so our rules  
18 for the transition require that the stations give  
19 30-days' notice. I'm trying to visualize that  
20 section of the PN because I'm fairly certain we  
21 say that it has got to be in the language that  
22 they broadcast in. But let me look into that and

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1 I will see if we need to address that.

2 That's a great point. Thank you.

3 CHAIR BARTHOLME: Mitsy.

4 MEMBER HERRERA: Mitsy Herrera from  
5 Montgomery County just quickly. As part of the  
6 auction process planning and implementation, was  
7 there any analysis done by the Commission in  
8 terms of if the providers were not paying above  
9 cost of running the auction -- so you have costs  
10 to run the auction and then there is the  
11 additional money will be funding that goes into  
12 the Treasury.

13 If the purchaser is only paying the  
14 cost to run the auction, is there any analysis of  
15 what percentage that investment in purchasing the  
16 spectrum represents as part of their whole  
17 operations or how much potentially that could  
18 free up for funding to put into deployment into  
19 underserved areas?

20 MR. MEISCH: Well I think that the way  
21 the auction was structured -- this might help the  
22 answer the question. I may be sucked through a

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1 side door.

2 The way the auction was set up was the  
3 licenses that the forward auction bidders were  
4 bidding on was sort of disaggregated from the  
5 stations that were purchased in the reverse  
6 auction to clear that spectrum. Does that make  
7 sense?

8 So, you may have a market that was  
9 cleared without us having to purchase any  
10 stations in that market but then we sold licenses  
11 that would sort of overlay that. So, there was  
12 not really a one-to-one relationship between  
13 money spent in a particular market for the  
14 wireless auction and reverse auction winnings  
15 that would help to clear that market, if that  
16 makes sense. It may not make sense.

17 MEMBER HERRERA: Well what I'm trying  
18 to get at is that the Commission has teed up  
19 several questions in which they are looking at as  
20 preempting and limiting compensation for right-  
21 of-way poles to cost. So what I am asking is, in  
22 the equivalent, in the Commission case of the

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1 spectrum, what is the cost, if you limited the  
2 spectrum similarly to just compensation, is there  
3 any evidence that the Commission had that said  
4 that either that would free up X number of dollars  
5 that telecom companies could use for investment  
6 or similarly showing that what they are paying  
7 for the auction is only a minor percentage of  
8 what their overall investment operating costs  
9 are.

10 MR. MEISCH: I know of no such  
11 analysis but, again, I think that the auction  
12 structure goes at it from a different way.

13 CHAIR BARTHOLME: Any other questions?  
14 Okay, thank you.

15 MR. MEISCH: My pleasure.

16 CHAIR BARTHOLME: And we look forward  
17 to staying in the loop on this.

18 MR. MEISCH: Save time for me anytime  
19 you'd like and I will come down.

20 CHAIR BARTHOLME: Great.

21 MR. MEISCH: Thanks, everybody.

22 CHAIR BARTHOLME: Next we are going to

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1 be joined by Linda Vandeloop. She is the  
2 Assistant Vice President of External Affairs at  
3 AT&T and you may remember her from the January  
4 meeting. She is going to give us an update on  
5 the Strike Force and its progress since January.

6 MS. VANDELOOP: Is this working? Yup.

7 Well, good afternoon and thank you for  
8 inviting me here to talk about one of my favorite  
9 topics. And I know that probably sounds kind of  
10 strange but it really is because when I got  
11 involved in the Strike Force I worked with  
12 people, there were 30 plus companies and  
13 organizations and a lot of them, historically, we  
14 were on the opposite side of every issue and this  
15 was such a great example of people working  
16 together and teamwork and making progress. And  
17 everybody was in it 100 percent. In fact, we had  
18 people begging to join the Strike Force.

19 So the Industry Robocall Strike Force  
20 brought together key members of the ecosystem who  
21 have the ability to make a contribution in  
22 combatting the robocall problem. And so working

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1 together, and we really were, most of us were  
2 really focusing internally in our companies about  
3 how do we solve the problem, but working together  
4 we were able to develop a much more robust set of  
5 mitigation tools that we would have been  
6 separately and working alone. And so this is a  
7 good example of the whole being greater than the  
8 sum of the parts.

9 So the Strike Force really kick  
10 started the process but there is a whole lot more  
11 to do. And AT&T is very, very active, an active  
12 participant, along with the other members of the  
13 Strike Force but the process is changing a little  
14 bit. AT&T is no longer leading the Strike Force.  
15 Several associations and standards bodies who are  
16 much better organized to continue the work that  
17 the Strike Force identified in the initial report  
18 have taken over the leadership of the process.  
19 And Kevin and Krista are two of the leaders in  
20 that ongoing process.

21 So over the past six months, ACT, the  
22 App Association, ATIS, CTIA, USTelecom have

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1 continued the work that was identified in the  
2 October 26th report and it was still in the  
3 focused areas of the authentication, empowering  
4 consumer choice, the detection, assessment,  
5 traceback and mitigation area, and the regulatory  
6 support.

7 Each organization met regularly with  
8 their members over the past six months. And it  
9 is really important to note that for the purposes  
10 of addressing the robocall problem, these groups  
11 expanded the membership beyond the association or  
12 the standards body membership because we know we  
13 really need the whole ecosystem involved to  
14 really come up with a solution. So for example,  
15 the Traceback Group is made up of not only the  
16 USTelecom members, but wireless, CTIA members,  
17 and wholesale members, and people who really need  
18 to work together to identify the problem and come  
19 up with the mitigation tools.

20 And then in addition to meeting with  
21 their individual groups, ACT, ATIS, USTelecom and  
22 CTIA all met together for planning and

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1 coordination purposes to make sure nothing fell  
2 through the cracks and to make sure that we're  
3 all coming up with the comprehensive solution  
4 that is needed.

5 So, just a few things and there was a  
6 report published April 28th of this year, with a  
7 lot more detail on what the Strike Force has done  
8 and will be doing. But a few examples: In the  
9 area of the authentication, ATIS formally  
10 published the SHAKEN Framework, which is the  
11 framework for the caller ID authentication. They  
12 also partnered with Neustar to offer a testbed to  
13 members and non-members as well, so that this  
14 framework could be tested. And this will be  
15 available until the end of 2017. And so as of  
16 the April report, ten companies have already  
17 executed the agreements that are needed or are in  
18 the process of executing those agreement. And  
19 others have also executed a nondisclosure  
20 agreement.

21 And so the testing is going to do on  
22 and towards the end of the year, there will be

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1 more information on that.

2 For empowering consumer choice, ACT  
3 launched a public-facing website with relevant  
4 information for app developers, to encourage them  
5 to develop robocall-related apps. And they also  
6 developed and held a workshop for the app  
7 developers.

8 CTIA and USTelecom had both brought  
9 subject matter experts to educate the members on  
10 what is available today. And then several of the  
11 members have already introduced their own  
12 robocall mitigation tools. So AT&T introduced  
13 Call Protect, T-Mobile launched Scam ID, and both  
14 of them are free and network-based to identify  
15 and stop potentially illegal calls.

16 On the detection and -- wait a minute  
17 -- assessment, detection, traceback and  
18 mitigation, additional Do Not Originate trials  
19 have taken place. And as you might remember from  
20 the original report, there was a Do Not Originate  
21 trial on the IRS numbers and we worked with IRS  
22 and stopped a significant of the IRS scam calls.

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1           So other trials have been executed and  
2           have been proven effective.

3           Also, the Traceback Group has either  
4           doubled or almost doubled the number of members.  
5           How many are we at?

6           CHAIR BARTHOLME: Twenty-one.

7           MS. VANDELOOP: Okay, so we have got  
8           one to go to meet the commitment that was made in  
9           the original Robocall Strike Force report.

10          On regulatory support, the FCC has  
11          been extremely supportive and, as Mark had talked  
12          about earlier, the issue with the NPRM and NOI to  
13          support the industry so that carriers can block  
14          the calls.

15          Now some calls, you know we made an  
16          announcement -- to answer one of the questions  
17          earlier, we made an announcement a few months ago  
18          that using existing tools, using our big data  
19          analysis to try and identify robocall campaigns  
20          and some contracts that we have with wholesale  
21          providers, we were able to block a billion  
22          robocalls in about six months. And so we're

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1 continuing that process but we're limited. We  
2 can only block certain calls from certain  
3 carriers because of the agreement. So this NPRM  
4 and NOI is going to help tremendously, I mean the  
5 whole industry. And I don't think there's going  
6 to be any hesitation for most companies,  
7 particularly those involved in the Traceback  
8 Group, as well as the Strike Force. I don't think  
9 they're going to hesitate when they have the  
10 ability and the safe harbor to block the calls.  
11 It's going to happen.

12 And so the work has not stopped.  
13 We're all committed to continuing the work until  
14 the robocalls stop. And so I also want to thank  
15 you for the work you're doing because consumer  
16 education, getting the word out, making the tools  
17 available to customers is important. I think you  
18 know we're all in this together and we need  
19 everybody's help in getting these types of calls  
20 stopped.

21 So, I wanted to leave lots of time for  
22 questions, even though I am way over anyway.

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1 CHAIR BARTHOLME: Susan.

2 MEMBER GRANT: Hi, I'm Susan Grant,  
3 Consumer Federation.

4 I know you don't know the answer to  
5 this yet because I just asked you about it  
6 yesterday but I do want to flag that one of the  
7 concerns about this ringless voicemail technology  
8 that delivers prerecorded messages directly to  
9 cell phone voicemail boxes is whether the tools  
10 that you're providing to thwart robocalls will be  
11 effective with this new technology.

12 So, I would be very interested to hear  
13 what you find out about that.

14 MS. VANDELOOP: Yes, we'll have to  
15 understand more how those calls are routed and  
16 what the technology is.

17 CHAIR BARTHOLME: Jonathan.

18 MEMBER SCHWANTES: Thanks, Ed.

19 Linda, thank you. Jon Schwantes,  
20 Consumers Union. And I know you have worked very  
21 closely with my colleague, Maureen Mahoney, and  
22 I appreciate your work.

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1           You said the work will continue. Do  
2           you know if you will report back in say six months  
3           again?

4           MS. VANDELOOP: We don't have any  
5           plans for a formal report in six months but you  
6           know I think everybody plans to make sure that  
7           the work that we're doing is communicated. I  
8           think you have seen a lot more company statements  
9           and public announcements of some of the things  
10          that we're doing and we are all definitely open  
11          to talk to people when they are interested. Those  
12          that I know are interested I try and give them  
13          like regular updates to the extent possible. But  
14          as far as a formal report, there is no plans at  
15          this time.

16          CHAIR BARTHOLME: Do we have any  
17          questions from the phone?

18          MEMBER MCELDOWNEY: No just -- this is  
19          Ken McEldowney again from Consumer Action. I  
20          just want to applaud the work that the carriers  
21          are doing, in terms of taking the lead on this.  
22          I think it has been very effective so far.

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1 MS. VANDELOOP: Thank you.

2 CHAIR BARTHOLME: Mitsy.

3 MEMBER HERRERA: I guess I will pose  
4 the same question that I posed to Mark. Is it  
5 going to be voluntary? And is there a way to  
6 create a sort of simple mechanism for consumers  
7 to know which of these carriers have voluntarily  
8 agreed to do what?

9 MS. VANDELOOP: It's a good question  
10 that we can look at. You know as far as -- I'm  
11 pretty sure it's not going to be necessary  
12 because people are going to be bragging about it,  
13 to the extent possible.

14 We have also got to be careful about  
15 giving too much information to the bad guys. So  
16 we don't want them to know, necessarily, oh,  
17 okay, so AT&T is blocking and there is a couple  
18 other companies that are blocking, so we are  
19 going to try and route our traffic over Company  
20 X that isn't blocking. So we have got to be  
21 careful on how we give that -- or what information  
22 we give out.

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1                   MEMBER HERRERA: I mean I just would  
2 say from an educated consumer and choice  
3 perspective, I mean Commissioner Clyburn, I mean  
4 I didn't want to say to her I think that's a big  
5 reason why people have dropped their landline  
6 calls is you just get so many more robocalls on  
7 your landline than you do on your mobile device.

8                   But it seems like if you want to give  
9 consumers a tool that says what can you do about  
10 this, then you want to have a carrier who has  
11 voluntarily adopted the tools that we think will  
12 be helpful. If everybody does it, that's great.  
13 It seems to me nobody wants to have a requirement  
14 to do it, it's all going to be voluntary. It just  
15 seems like that is a really good consumer  
16 empowerment tool in addition to sign up for the  
17 Do Not Call, et cetera, et cetera, make sure your  
18 carrier --

19                   MS. VANDELOOP: And I agree but, on  
20 the other hand, we just have to balance it with  
21 giving the bad guys, because they're really  
22 smart. And we're already seeing signs of them

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1 saying oh, I know that person is blocking these  
2 kinds of calls; we're going to go around it.

3 You know some of the things, too, is  
4 in addition to that, carriers can also be very  
5 vocal about the tools that they're giving their  
6 customers, too. So that would be other good  
7 information as far as like I can talk about us,  
8 but other companies have other tools that they're  
9 providing their customers.

10 Like we have got the Call Protect. I  
11 know you will continue to see more and more  
12 announcements from other companies who either  
13 have expanded the types of customer call control  
14 type tools. Before the end of the year, I know  
15 you will see some more announcements.

16 CHAIR BARTHOLME: Rick.

17 MR. ELLROD: Rick Ellrod from Fairfax  
18 County, Virginia.

19 It seems to me those two rationales  
20 are contradictory. If we are saying it's not  
21 necessary in the public's eyes what companies are  
22 making records available because everyone brag

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1 about them and know about them and, at the same  
2 time, we can't make it public because the bad  
3 guys will know who is doing it, well, you can't  
4 have both those things at once.

5 It seems to me it would make sense to  
6 have basic information available that this  
7 company gives you a method, something like that,  
8 without going into the technical details of the  
9 method that could be used against it.

10 MS. VANDELOOP: Yes, and that is what  
11 I was trying to say. I didn't do a very good job  
12 of it but thank you.

13 CHAIR BARTHOLME: Any other questions?  
14 Mark.

15 MEMBER RICHERT: Mark Richert,  
16 American Foundation for the Blind.

17 I have never been shy about revealing  
18 how much I don't know in questions. So, this will  
19 probably be one of those moments.

20 Are there tools right now that  
21 essentially allow a consumer to receive calls  
22 only from those origins that they identify in

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1 advance, well in advance, so effectively being  
2 able to say look, I'm only going to receive calls  
3 from the stuff that's in my contacts, for  
4 example, something along those lines. If there  
5 is already something, I'd love to hear about it.  
6 If not, clearly you would want to make some  
7 exceptions to that. You wouldn't want someone to  
8 either intentionally or inadvertently block  
9 emergency calls, for example.

10 But I wonder if you could address  
11 that. Thanks.

12 MS. VANDELOOP: I mean there are tools  
13 available for -- I don't think you can limit it  
14 to just five or six numbers and I don't think we  
15 have the capability if there is any tools yet to  
16 just be able to pick up the calls in the -- and  
17 correct me if I'm wrong, Kevin, or Krista, just  
18 to be able to pick up the calls from the contact  
19 list.

20 But there are tools, things like I  
21 mentioned like the Call Protect, which there is  
22 blacklists that show calls that have been

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1 identified as extremely likely fraud or just  
2 blocked; others are marked as potential spam; and  
3 then I think Kevin had some other tools.

4 MEMBER RUPY: I was just going to add  
5 that there are tools, the generic term for it is  
6 a white list and many providers offer that white  
7 list service. And the way that service basically  
8 works is the consumer can select whatever the  
9 limit is, 10, 15, 20 numbers that they want to  
10 receive. And through that white list service,  
11 those are the only calls that consumer will  
12 receive that are listed on the white list  
13 service. And that can be a useful tool but the  
14 key here I think is to emphasize that there are  
15 a lot of different tools that do different things  
16 and we want to empower consumers to select the  
17 tools that make the most sense for that.

18 And the FCC has all that, a lot of  
19 those tools listed on its website.

20 CHAIR BARTHOLME: Okay. I think we're  
21 going to take our lunch break now. We are a  
22 little behind schedule so I am going to ask that

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1 we do about a ten-minute lunch break.

2 There was a blip on the broadcasting  
3 of the video feed but once it is into the archive  
4 and the FCC and available on the website, it will  
5 be fixed in there in full.

6 So please to return to the table by  
7 12:35. Feel free to have your lunch with you.  
8 Just a reminder, the lunches provided are for  
9 committee members and staff working the room.  
10 Alternates and others in the room are welcome to  
11 grab a lunch after those people have gotten  
12 theirs. And thank you, again, to CCA, for  
13 providing us with lunch today.

14 (Whereupon, the above-entitled matter  
15 went off the record at 12:25 p.m. and resumed at  
16 12:35 p.m.)

17 CHAIR BARTHOLME: Thank you,  
18 everybody, for taking a timely break.

19 Our next speaker coming up is James  
20 Brown. He is with the Consumer Data Office --  
21 I'm sorry, he is the Consumer Data Officer for  
22 the CGB and he is going to be updating us on the

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1 complaint data and the CHC. James is joining us  
2 by phone and I believe he has a PowerPoint  
3 presentation as well.

4 MR. BROWN: I do. Thanks, Ed. Can  
5 you just let me know when the PowerPoint is up  
6 and then I'll start from there?

7 CHAIR BARTHOLME: Are they doing it  
8 remotely?

9 MR. BROWN: They should be doing it  
10 from the Commission meeting room.

11 CHAIR BARTHOLME: Okay, so we have --  
12 Great, so you can get going and  
13 Brittany is going to help advance the slides for  
14 you.

15 MR. BROWN: Perfect, thank you.

16 So the FCC launched the Consumer Help  
17 Center in the fall of 2014. The Consumer Help  
18 Center is made up of three areas: 1) education  
19 materials; 2) filing consumer complaints; and 3)  
20 consumer complaint data.

21 So today, I'm going to focus on filing  
22 consumer complaints and consumer complaint data.

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1 Some of the parts about filing consumer  
2 complaints might be a repeat for some but we think  
3 it's important to go over them.

4 So consumers can file complaints any  
5 time on any device. The website to file  
6 complaints is [consumercomplaints.fcc.gov](http://consumercomplaints.fcc.gov).

7 So what you are seeing right now is  
8 the way that we have organized the consumer  
9 complaint website. Complaints are organized in a  
10 way that allow consumers to flex them in six  
11 product areas. The product areas are TV, phone,  
12 internet, radio, emergencies, and access for  
13 people with disabilities.

14 We have also added a place where  
15 consumers can tell us their stories. So the Tell  
16 Us Your Story area was rolled out in the fall of  
17 2016 and it was developed to allow consumers that  
18 don't have an actual complaint but would like to  
19 share their stories involving issues about  
20 telecommunication services to do so.

21 So what we have done before is some  
22 consumers were submitting what they would deem as

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1 a complaint but it was really just, kind of they  
2 were just voicing their opinion about something  
3 and so the share your story is supposed to kind  
4 of help along those lines.

5 So in the case of Tell Us Your Story,  
6 consumers can select on the right side of the  
7 website and describe their story. In this case,  
8 consumers won't hear back from the FCC but the  
9 FCC could use the information to help inform  
10 decisions and policies going forward. However,  
11 in most cases, consumers are still filing an  
12 actual complaint.

13 I'm going to go back to the left side  
14 of the screen. A consumer complaint can be filed  
15 for a variety of issues including things like  
16 billing, service quality, unwanted calls, and  
17 more.

18 CHAIR BARTHOLME: James?

19 MR. BROWN: Yes.

20 CHAIR BARTHOLME: If we could  
21 interrupt, could you let us know when you need  
22 the slides advanced?

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1                   MR. BROWN: I'll do that, yes. So,  
2                   you're still on the first slide.

3                   CHAIR BARTHOLME: Okay, great.

4                   MR. BROWN: Yes. So, to file a  
5                   consumer complaint, a consumer would select from  
6                   one of the six product areas like phone or TV and  
7                   then select an issue that best represents their  
8                   complaint. Next slide, please.

9                   So now you should be at the second  
10                  slide. So in this example, you are looking at a  
11                  phone form where the issue selected is billing.  
12                  Every form is set up in exactly the same way.  
13                  When an issue is selected, and based on the issue,  
14                  certain questions are populated.

15                  So once the form is completed and  
16                  submitted, we can then email in real time that  
17                  acknowledges the FCC's receipt of the complaint.  
18                  Next slide, please.

19                  So now actually looking at an actual  
20                  email after a complaint is submitted to the FCC.  
21                  What's important here is every time we receive a  
22                  complaint from a consumer, we acknowledge it in

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1 real time. We send out an email. If additional  
2 information needs to be provided by the consumer,  
3 they can respond directly to the email they  
4 received from us and when they respond to the  
5 email, the information that they sent in gets  
6 updated in real time. So, we're always having  
7 kind of a real-time interaction with consumers,  
8 as long as their responding to the emails that we  
9 send back to them. Next slide, please.

10 All right, so depending on the type of  
11 complaint submitted, a few different things can  
12 happen. So one, the FCC could email consumers  
13 with information like a consumer guide that helps  
14 explain consumer issues. In one of the prior  
15 demonstrations, someone had mentioned that one of  
16 the more popular consumer guides is still along  
17 the lines of tuning TV antennas or digital  
18 antennas. So sometimes we get complaints about a  
19 consumer not being able to get a certain over-  
20 the-air channel or something like that. So this  
21 would be an example where we would probably send  
22 back a consumer guide letting them know how they

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1       could retune their tuner, how they get an over-  
2       the-air antenna, or something like that.

3               There is also instances where another  
4       state or federal agency is better suited to  
5       handle a complaint, such as the state POC, the  
6       Federal Trade Commission. And so in these cases,  
7       we would email the consumer back letting them  
8       know what agency we think would be better suited  
9       for their specific issue.

10              We also might use the information just  
11       to share among the FCC to help with FCC actions,  
12       like unwanted calls. So in that case, we're not  
13       resolving individual complaints but we use the  
14       information internally to help with FCC actions.

15              In all of these instances, we are  
16       still interfacing directly with the consumer  
17       through emails, letting them know what the status  
18       of their complaints are.

19              And then finally, if a complaint  
20       involves a service provider, in the issue  
21       described in the FCC field the provider should  
22       address, then we do what we call serve the

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1 complaint on a provider. So this is more of an  
2 official process where a complaint gets served on  
3 the provider and in that case, we generate  
4 another email to the consumer letting them know  
5 what is going on and then the providers have 30  
6 days to respond directly to the consumer, as well  
7 as the FCC, letting the parties know how the  
8 complaint was addressed. Next slide, please.

9 So this graphic is actually just  
10 showing what I went over. It is basically how  
11 the FCC handles complaints. And the key here is  
12 we have this graphic, as well as some FAQs and  
13 other information on the top of  
14 consumercomplaints.fcc.gov. So at any time the  
15 consumer hits the FCC complaint site, how we  
16 handle the complaints, frequently asked  
17 questions, and some other information that is  
18 readily available for all consumers to look at.  
19 Next slide, please.

20 So just to make sure we're all on the  
21 same slide, we should be looking at the Consumer  
22 Data Center now.

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1           So when we launched the Consumer Help  
2 Center in the fall of 2014, we started to release  
3 some data about companies -- or sorry, not  
4 companies -- about complaints weekly in the form  
5 of spreadsheets, as well in charts and graphs.  
6 So we did that for the first 18 months or so and  
7 then about a year ago, we launched what we're  
8 calling the Consumer Complaint Data Center.

9           So with this launch, we started to use  
10 a product called Socrata, so it's S-O-C-R-A-T-A.  
11 It's a commercial product and we use it to release  
12 consumer complaint data daily.

13           So the data we are releasing daily  
14 includes a complete list of complaints, along  
15 with certain fields for each complaint. We also  
16 provide a specific data set that is specific for  
17 unwanted calls.

18           So the unwanted calls dataset we know  
19 is currently being used by companies that provide  
20 blocking technology to consumers and then we can  
21 tell that these companies are actually using our  
22 publicly available API to access this data,

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1 sometimes every few minutes, sometimes every  
2 hours, sometimes once a day but the API, itself,  
3 they use a lot by these companies to stop the  
4 unwanted calls with data that we're providing.  
5 Next slide, please.

6 So what you're looking at now is how  
7 the data is actually made available to the  
8 public. So it's available in a table view that  
9 allows anyone to filter and sort the columns. So  
10 that's small there but anyone can access the data  
11 by going to [fcc.gov/consumer-help-center-data](http://fcc.gov/consumer-help-center-data).

12 And so if you are there, above each  
13 column, we have these two little lines. And so  
14 by clicking on the lines, you can filter and sort  
15 each column. And so by filtering it, some of them  
16 are actually, you can filter by words. So like  
17 if you want to filter on the State of the  
18 complaint, you could just select Maryland, or  
19 Virginia, or D.C. and it just will go to the  
20 complaints in real-time. You can also just kind  
21 of sort ascending or descending.

22 We also provide more advanced analysis



1 of the data by using additional filters. So, on  
2 the top right, there is this blue button called  
3 filters. And once you are inside the data set,  
4 that allows you to just do more refined searches.

5 Each of the analysis that you do you  
6 can actually save yourself. So, if you went in  
7 here and you wanted to kind of search for  
8 complaints across an area defined by specific  
9 form and a date range, those searches can be saved  
10 and there is a unique URL that you could use to  
11 re-access the searches each time.

12 The data also can be downloaded in  
13 about ten different formats, including common  
14 formats that allow you to get the data inside  
15 spreadsheets. Next slide please.

16 So we also provide some canned  
17 visuals, so some charts and maps at a high level  
18 like the number of phone complaints over time.  
19 These visuals also get updated daily and you also  
20 are able to create your own visuals, once you  
21 access the data sets. And next slide, please.

22 So, to conclude, consumers and can

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1 file complaints 24/7. We also have a consumer  
2 support line that is available Monday through  
3 Friday, where we can help answer consumer  
4 questions. And then, more recently, we launched  
5 the Consumer Complaint Data Center about a year  
6 ago with data that is updated daily.

7 So, I will stop there and see if there  
8 are any questions.

9 CHAIR BARTHOLME: Great. Do we have  
10 any questions from anyone in the room? Susan.

11 MEMBER GRANT: I actually have a bunch  
12 of questions but I will try not to dominate this.

13 I was recently looking in the database  
14 for information about whether older people had --  
15 how many older people had reported a particular  
16 problem and I couldn't see anything about age.  
17 So, I looked at the complaint form itself and  
18 noticed that there is no request for age or date  
19 of birth or year of birth, rather.

20 MR. BROWN: Sorry, you broke up at the  
21 end. I heard the part about searching for age  
22 and then some static.

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1                   MEMBER GRANT:     I looked at the  
2                   complaint form and there was no question for  
3                   either your age or your year of birth. Is that  
4                   something that the FCC has considered? And if it  
5                   decided not to do that, is there a particular  
6                   reason why?

7                   MR. BROWN:    So I don't know if that  
8                   there was any particular reason why. I mean it  
9                   is currently not collected. I mean it is  
10                  something that we could take into consideration.  
11                  But you're correct, currently on the forms, it is  
12                  not a question that we ask.

13                  MEMBER GRANT: I wouldn't want to make  
14                  it a requirement, obviously, but as an option,  
15                  that information could be really useful. I was  
16                  asked a question actually by a Senate committee  
17                  and I was looking for documentation and you have  
18                  really good information but you didn't have that.

19                  MR. BROWN:    Okay, thank you. It's  
20                  good feedback.

21                  MEMBER GRANT: Okay, great. On the  
22                  information that consumers are given about

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1 complaint submission and notification, it says if  
2 you have submitted a complaint about a  
3 telecommunications billing or service issue, your  
4 complaint is being processed and so on, you know  
5 by a particular division. But it doesn't say if  
6 you're complaint is about something else who is  
7 it handled by. And I don't know how many  
8 complaints there are about other issues but is  
9 there some general information that is provided  
10 that I missed somewhere about where other kinds  
11 of complaints are handled?

12 MR. BROWN: No, there is currently not  
13 something that particularly describes where other  
14 complaints are being handled.

15 MEMBER GRANT: Okay. Are there  
16 consumers who complain about other issues?

17 MR. BROWN: The complaint of other  
18 issues -- all the complaints are handled. We just  
19 haven't specifically said like where they are  
20 handled. So, consumers would get information  
21 back for every complaint that they file, kind of  
22 letting them know what's happening with that

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1 complaint.

2           So, like I said before, I mean it  
3 could be that same day, or the next day, or within  
4 a couple of days, we send back a consumer guide  
5 that says we think this might handle your  
6 complaint. In some cases, we do let them know  
7 that based on the type of complaint that they  
8 file, that it something that we wouldn't  
9 individually handle or we are not going to serve  
10 on a provider but we would use the information  
11 for trends and patterns and other actions the FCC  
12 takes.

13           MEMBER GRANT: Okay.

14           MR. BROWN: And then besides unwanted  
15 calls, our biggest complaint category would be  
16 billing issues and most of those are served on  
17 providers. So, the consumers would get that  
18 acknowledgment that their complaints were served  
19 on providers.

20           MEMBER GRANT: I just didn't know what  
21 the point was of telling them this if it doesn't  
22 apply to their complaint and it doesn't tell them

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1 where those complaints go.

2 I guess since people are hearing back  
3 directly, that's probably the most important  
4 thing but I just don't know how useful this bullet  
5 is.

6 MR. BROWN: And that's good feedback  
7 as well. We can look at the content. I mean I  
8 think that's been up there since the beginning of  
9 our launch. So it might be time to just relook  
10 at what we're saying as well.

11 MEMBER GRANT: And do  
12 telecommunications complaints include complaints  
13 about internet service providers?

14 MR. BROWN: Yes, they do.

15 MEMBER GRANT: I realize this is a  
16 contentious subject but, while they still do, I'm  
17 not sure that a consumer would understand that.

18 MR. BROWN: Would understand -- yes,  
19 okay.

20 MEMBER GRANT: And then I think the  
21 FCC has generally done a really good job in using  
22 plain language but -- and this is nit-picking now

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1 but looking reviewing your complaint, not all  
2 complaints are actionable or constitute a rule  
3 violation. That could be made a little bit more  
4 plain language.

5 And I think those were all of my --

6 MR. BROWN: As a non-attorney, I would  
7 agree with you.

8 MEMBER GRANT: I think those were all  
9 of my questions. Thanks so much.

10 MR. BROWN: Okay, thank you.

11 CHAIR BARTHOLME: Any other questions?

12 MEMBER MCELDOWNEY: Hi, this is Ken  
13 McEldowney. I'm from Consumer Action.

14 You may have the answer to this. What  
15 are the options for consumers for whom English is  
16 not their primary language?

17 MR. BROWN: So right now the option  
18 would be to call our hotline, the Consumer  
19 Hotline and then we would take the complaint over  
20 the phone for them.

21 We are currently looking at offering  
22 the complaint forms in other languages. But

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1 right now it would be call and then we would help  
2 you over the phone.

3 MEMBER MCELLOWNEY: Is the Consumer  
4 Guide available in languages other than English?

5 MR. BROWN: Yes, so I don't work for  
6 Consumer Guides but I believe all Consumer Guides  
7 are available in Spanish and then there are  
8 languages being considered as well.

9 MEMBER MCELLOWNEY: Okay, thank you.

10 MR. BROWN: Yes.

11 CHAIR BARTHOLME: Olivia.

12 MEMBER WEIN: Hi, it's Olivia Wein,  
13 National Consumer Law Center.

14 I noticed on slide 2 it's mandatory  
15 for consumers to enter their name -- the company  
16 name on the form. And I was wondering if it is  
17 possible in these searches to also provide the  
18 company name.

19 MR. BROWN: So currently, we don't  
20 release the company name in the public data that  
21 we're releasing.

22 MEMBER WEIN: Is there a reason for

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1       that? Other agencies do. Like CFPB, you can  
2       search by company.

3               MR. BROWN: Yes, I think it's  
4       something that's been considered and I think it's  
5       still being considered but I don't have an answer  
6       as to the specifics of why or when it could be  
7       released.

8               MEMBER WEIN: Thank you.

9               MR. BROWN: Mitsy.

10              MEMBER HERRERA: I have a question but  
11       just to follow on Olivia's, in the past when we  
12       had conversations, there was specific things that  
13       came up where if you have AT&T as your carrier  
14       but you're calling to complain about an unwanted  
15       call, the company you're complaining about is not  
16       AT&T, your carrier, it is the unknown company and  
17       I don't think they resolved that. And in some  
18       ways, I think that having the company name there  
19       may be a little bit misleading. I'm not quite  
20       sure how to -- but I'm not complaining about that  
21       company.

22              MR. BROWN: Sure.

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1                   MEMBER HERRERA:    So there could be  
2                   some option for like third-party, unknown third-  
3                   party might be --

4                   MR. BROWN:    So I think in this case so  
5                   company name is required but only for certain  
6                   issues.    So in that slide 2 I was showing where  
7                   billing was collected.    So if you're complaining  
8                   about your phone and a billing issue, then we ask  
9                   for the company name.    But if you are actually  
10                  complaining about an unwanted call, which is a  
11                  separate issue, then we don't ask for the company  
12                  name.    So it's not -- let's say I had AT&T and  
13                  I'm complaining about an unwanted call from X  
14                  Company.

15                  MEMBER HERRERA:    Okay so my question  
16                  was, and you probably weren't here to listen in.  
17                  Commissioner Clyburn came in this morning.    So in  
18                  addition to Pai's mom, we have Clyburn's cousin  
19                  as our real world.    So, what she said was her  
20                  cousin had a lot of unwanted calls and she kept  
21                  logs of these phone numbers.    And Commissioner  
22                  Clyburn specifically asked her to please file

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1       these complaints with the FCC.

2               So the first question I have is on  
3       slide 6 -- or sorry -- on slide 8, is -- and I'm  
4       not sure if this is an entry form or if this is  
5       how you report them. Are unwanted calls part of  
6       phone issues or telemarketing issues?

7               MR. BROWN:     Sure.     So what you're  
8       looking at in slide 8 is the complaint data  
9       summary releases. So what you are looking at here  
10      is just charts and graphs that are canned.

11              And so phone issues would encapsulate  
12      every issue that we collect on a phone form. That  
13      would include unwanted calls.     And then  
14      telemarketing issues just carves out those that  
15      are specific to telemarketing.

16              MEMBER HERRERA:   Okay, so what I'm  
17      trying to -- so you go pick the phone. Okay.

18              So the real question I'm trying to ask  
19      is if Commissioner Clyburn's cousin wants to know  
20      how many people in my area or my state complained  
21      or have similar calls, what percentage of the  
22      calls coming in about telephone issues are

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1 unwanted calls? Is there a way to pull that data  
2 out of the publically available data? And if it  
3 is not part of the public, is there a way for  
4 consumer groups or these attorneys who are really  
5 trying to help get at some of this stuff, to get  
6 to that data?

7 MR. BROWN: Sure. So I'm going to  
8 jump to -- if you guys could go back to slide 2  
9 just for a second.

10 So, every complaint that is filed is  
11 submitted on what we call a form. So if you are  
12 going to report an unwanted call, it is reported  
13 on a form called Phone and then there's an issue  
14 called Unwanted Calls. All right, so unwanted  
15 call, the consumer would select unwanted calls as  
16 their issue and then fill out the complaint form.

17 So then jumping ahead to slide 8, what  
18 you would be looking at here, obviously if you  
19 could click on it, is the photo shows what would  
20 be a pie chart and what would show you for all  
21 the complaints filed on a phone form what  
22 percentage of each issue makes up that pie. So

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1 unwanted calls would probably be about 50  
2 percent. They are actually the higher number of  
3 the phone complaints that we get involve unwanted  
4 calls.

5 MEMBER HERRERA: Okay, so is that  
6 data, can you sort that by date so that you could  
7 show like a trend in that?

8 MR. BROWN: Yes, you can.

9 MEMBER HERRERA: Or can you do any  
10 geographic sorts?

11 MR. BROWN: Jumping back to -- if you  
12 go to slide 7, so that's just showing a table  
13 view. And so we have two data sets. One is a  
14 complete data set of all complaints and that will  
15 include unwanted calls wove into that data set.  
16 And then we have a separate data set that just  
17 shows unwanted call data, both axes where we show  
18 the date the ticket was created, which was the  
19 date the complaint; the date of the issue itself  
20 -- so with unwanted calls, we ask the consumers  
21 to tell us the date they got the call, so that's  
22 there; the State and the zip code that the

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1 consumer is complaining from; as well as the  
2 number that they received -- that the unwanted  
3 call came in from. And so all of that data is  
4 available on the table view and that can be sorted  
5 and filtered and rolled out by State, with time  
6 and so forth.

7 MEMBER HERRERA: Thank you very much.  
8 Very helpful.

9 MR. BROWN: Yes.

10 CHAIR BARTHOLME: James --

11 MR. BROWN: Yes.

12 CHAIR BARTHOLME: -- just to clarify  
13 on that last point that you made, currently,  
14 though, there is no way to graphically pull the  
15 data based on a set date range.

16 So for example, you couldn't show that  
17 in the last quarter maybe there was a dip in  
18 robocalls because of the Strike Force efforts  
19 around blocking IRS numbers or something like  
20 that in the publicly available sort of pie charts  
21 and outputs that are available on the website  
22 right now.

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1 MR. BROWN: No, I mean we would either  
2 create more graphs ourselves or individual users  
3 could do that. That is just kind of somewhat  
4 advanced in that like the advanced filtering  
5 tools. But currently, when you, going back to  
6 slide 8, if you were to click on like one of those  
7 graphs, it is just showing you basically the  
8 entire pie over time. You could carve out --

9 CHAIR BARTHOLME: Since this started  
10 in October of --

11 MR. BROWN: 2014.

12 CHAIR BARTHOLME: Right.

13 MR. BROWN: But it is something that  
14 we could definitely consider and we have talked  
15 about this before, which said we could do stock  
16 charts of quarters, or years, or months and then,  
17 in addition, individuals could come and do that  
18 themselves as well. So, if you didn't want it in  
19 quarters, if they wanted to do a six-month trend  
20 or something like that, they are able to do that  
21 as well.

22 CHAIR BARTHOLME: Olivia.

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1                   MEMBER WEIN:       Hi,   Olivia   Wein,  
2       National Consumer Law Center.

3                   So this is going back to the scenario  
4       of a consumer motivated enough to keep a little  
5       diary of time of call, the number that shows up  
6       on the caller ID. So, looking at the complaint  
7       form on page 2, if I were to click on unwanted  
8       calls, is there a way for me, without like having  
9       to fill out a form for each particular call, to  
10      just sort of batch load so I could put in phone  
11      number and time for each incident? So, I sit down  
12      once. I'm angry. I'm going to do it just once  
13      but if I have to fill out like ten forms because  
14      I got ten of these calls, that adds to the pain  
15      of the robocall.

16                  MR. BROWN:     Sure, so it's a good  
17      question. So I should also say so in October 2016  
18      the unwanted call form itself, the number of  
19      questions were reduced by like 75 percent. So it  
20      used to be somewhere in the neighborhood of like  
21      50 or 60 questions that could potentially be  
22      filled out and now it's about 20. So I realize

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1       it is 20 but we did reduce the amount. But  
2       currently, you will still have to fill out a  
3       complaint for each individual call. So if you  
4       receive ten calls throughout the day, it would be  
5       ten separate complaints. But we have heard this  
6       issue and it is something that we are considering  
7       basically along those lines. So, if you are  
8       getting ten calls, come up with a better  
9       consumer-friendly way for consumers to say I  
10      received ten calls without submitting ten forms.

11               CHAIR BARTHOLME: Well, James, I would  
12      encourage you to stay tuned. And if our afternoon  
13      recommendation passes, we should follow-up and  
14      discuss some complaint idea, entry ideas that we  
15      have about streamlining that process.

16               MR. BROWN: Okay, sounds good. Thank  
17      you.

18               CHAIR BARTHOLME: Thank you for  
19      joining us. It was a great presentation.

20               MR. BROWN: Sure. Okay, thank you.

21               CHAIR BARTHOLME: Next up, keeping  
22      with our robocall theme of the day, we have

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1 Jerusha Burnett joining us. She's an Attorney  
2 Advisor for the Consumer Policy Division in CGB  
3 and she's going to be providing us with an  
4 overview of the March 2017 robocall blocking NPRM  
5 and NOI.

6 MS. BURNETT: Just getting the right  
7 slideshow up here. I'm good.

8 All right. So yes, as was just said,  
9 my name is Jerusha Burnett. I am an attorney in  
10 the Consumer Policy Division and I have been  
11 asked to talk to you about the recent, well March  
12 NPRM and NOI on robocall blocking.

13 So as many of you, or perhaps all of  
14 you are aware, one of the major impetuses for the  
15 NRPM and NOI was a request from the Robocall  
16 Strike Force. And the Strike Force, in their  
17 initial report, specifically asked the Commission  
18 to amend the call completion rules to make clear  
19 that voice service buyers could block certain  
20 robocalls without violating their call completion  
21 obligations. So, we thought that was a great  
22 suggestion and took it up. And this is part of

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1 one of the results.

2 So first up, there are two parts to  
3 this. There is a notice of proposed rulemaking  
4 and a notice of inquiry and they look into  
5 slightly different issues.

6 The notice of proposed rulemaking, to  
7 start with, proposed rules that would allow  
8 provider-initiated blocking of certain calls  
9 without including those blocked calls in call  
10 completion rates. Now, it proposes a few main  
11 things. First, the codification of PN, the  
12 Consumer and Government Affairs Bureau released  
13 in September of 2016. Second, to allow voice  
14 service providers to block calls originating from  
15 certain categories of unassigned numbers. And  
16 then it also asks a few questions about special  
17 treatment for internationally-originating calls,  
18 in case there are situations where those need to  
19 be treated differently by providers.

20 It, finally, also seeks comment on the  
21 current definition of "illegal robocall" just to  
22 make sure that we have a definition that is both

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1 fully inclusive but not wrapping in things that  
2 shouldn't be there.

3 So first up is the codification of  
4 this Consumer and Government Affairs public  
5 notice. Now, this public notice made it clear  
6 that providers can block calls, where the owner  
7 of the number purportedly originating the call  
8 asks for those calls to be blocked. So this is  
9 the IRS Do Not Originate request situation. So  
10 the IRS has a hotline. Some fraudulent actors  
11 will spoof that hotline number to get people to  
12 answer the phone and to trick them into believing  
13 it is actually the IRS calling them. But the IRS  
14 never makes calls from that number. So, the CGB  
15 PN clarified the IRS can go to voice service  
16 providers and say look, I never originate calls  
17 from this number; please block any calls claiming  
18 to be from this number. And it does this on the  
19 grounds that no reasonable consumer would want to  
20 receive a call that is almost certainly illegal.

21 This section also asks about sharing  
22 information on these requests to make sure that

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1 a consumer doesn't have to go, or the IRS, or  
2 whomever, doesn't have to go to every individual  
3 provider to get that number blocked but, instead,  
4 can submit one or a couple of requests and the  
5 information can be shared across the industry.

6 Now, there are certainly efforts  
7 already to do this and we were very clear that we  
8 don't want to stall or interrupt those efforts in  
9 any way. We want to find out what we can do to  
10 help them.

11 So second is unassigned number. Now,  
12 this would allow blocking of calls or expressly  
13 allow blocking of calls where the number is one  
14 of a number -- a list of categories of unassigned  
15 numbers. So first and probably simplest is  
16 invalid numbers. These are numbers such as ones  
17 where they use an N11 code, like 911 in place of  
18 an area code or a number that uses an area code  
19 that simply does not exist at all. So we ask  
20 about allowing to block those calls.

21 We also ask about allowing to block  
22 calls that originate from numbers that are valid

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1 but not yet allocated to a voice service  
2 provider. We paid special attention to how much  
3 information the voice service providers have and  
4 how up-to-date that information is as to whether  
5 a number has been allocated because we do not  
6 want to sweep in calls that are being  
7 legitimately -- that have already been allocated  
8 and assigned to a subscriber, we don't want that  
9 subscriber's calls to get blocked.

10 Similarly, we ask about calls  
11 purporting to originate from numbers that have  
12 been allocated to a voice service provider but  
13 are not currently assigned to a subscriber. This  
14 is similar to the unallocated but a little bit  
15 different in that we want to make sure that we  
16 know how much information both the provider to  
17 whom the number is allocated and the provider to  
18 whom the number is not allocated has because it  
19 may be that the provider to whom the number is  
20 allocated will have a significantly more up-to-  
21 date and valid information. And so there might  
22 be further limitations that need to be placed if

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1 the number is allocated to a different provider.

2 So, that's the basics of the NPRM.

3 Now, there is also a notice of  
4 inquiry, which seeks information that goes a bit  
5 further than what the NPRM proposes to allow  
6 somewhat broader blocking, based on objective  
7 criteria. So these unassigned numbers, sort of  
8 the quintessential objective criteria. You know  
9 this number is not assigned to a subscriber. You  
10 know no one is actually originating a call from  
11 this number, so it's probably spoofed. Now,  
12 spoofing isn't, by definition, illegal but you  
13 will at least have some level of information  
14 there.

15 This is more about other objective  
16 criteria that might be useful. It also inquires  
17 about creating a safe harbor for blocking calls  
18 based on these objective criteria and asking  
19 specific questions on how to protect legitimate  
20 callers from being blocked.

21 So first off, what kind of objective  
22 criteria is this talking about? Well, it's

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1 talking about things such as soliciting and  
2 reviewing information from other carriers,  
3 performing historical and real-time call  
4 analytics, contacting the subscriber of the  
5 spoofed number, or the caller ID authentication  
6 standards that have been in progress. But it also  
7 asks for other methods because it is entirely  
8 possible that people out there have some really  
9 great objective methods that the Commission  
10 simply isn't aware of. And so we definitely want  
11 as much information on those methods as we can.

12 It asks, and it is very careful about  
13 how accurate these methods are because, again, we  
14 don't want to block legitimate calls, and it  
15 looks at whether some method might be more  
16 appropriate when the balking is initiated by the  
17 consumer because consumer-initiated blocking has  
18 been permitted previously, expressly permitted  
19 previously. Voice provider-initiated blocking is  
20 a little trickier because your consumer might  
21 have different levels that they are willing to  
22 accept on false positives, on the possibility of

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1 a call that they want to receive getting blocked.  
2 So, if the consumer is choosing that blocking,  
3 that's fine but we want to be very careful when  
4 the provider is choosing that blocking.

5 So some methods might be great for  
6 consumer-initiated blocking but a little risky  
7 for provider-initiated blocking.

8 So what about these legitimate callers  
9 who might get blocked by these calls? Well, the  
10 NOI recognizes that this might occur. For  
11 example -- so, let's take an example. Say you  
12 have a call center that is conducting a robocall  
13 campaign but has legitimately received express  
14 consent, the right level of expressed consent  
15 from all the people it's calling. So they are  
16 perfectly -- you know they're operating within  
17 the law. They are allowed to make those calls.  
18 And in fact, some of the people they are calling  
19 may well very much want those calls. That's why  
20 robocalls are legal. But their call patterns  
21 might look very, very similar to a call center  
22 that is conducting a completely illegal campaign.

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1           So, we want to be sure that those  
2       legal callers are not being blocked because some  
3       element of their call patterns comes across the  
4       same way.

5           So a couple of things the NOI  
6       considers are the possibility of creating a white  
7       list of legitimate callers so their calls are  
8       never blocked, based on the objective criteria.  
9       So you can have these legitimate call centers say  
10      look, I want to be added to this list and they  
11      don't get blocked.

12           We also look at how a legitimate  
13      caller might contact the voice service provider  
14      if they believe their calls are being wrongfully  
15      blocked.

16           So the time line for this, the NPRM  
17      and NOI was adopted in March, on March 23rd, and  
18      the summary was just published in the Federal  
19      Register this week on May 17th. So with that,  
20      comments will be due on July 3rd with reply  
21      comments due on July 31st.

22           And so that's the quick overview of

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1       this NPRM and NOI. Does anyone have any  
2       questions? Go ahead.

3               MS. SAUNDERS: I'm Margot Saunders,  
4       Olivia Wein's colleague from National Consumer  
5       Law Center. You said that you were looking into  
6       allowing certain robocallers that had consent, so  
7       that those calls which are legal calls would not  
8       be blocked. How would you determine whether or  
9       not they actually had consent?

10              MS. BURNETT: So the NOI, it is a  
11       notice of inquiry so it is very early stages and  
12       that is actually something we would love to have  
13       some comments on, how to do that. In fact we ask  
14       about how to create some sort of a white list or  
15       similar. So we haven't thought put a detailed  
16       structure yet. If it were an NPRM, we'd have a  
17       much more detailed structure but for a notice of  
18       inquiry it's because we feel like we need more  
19       information before going to the NPRM stage. So  
20       we would love you to provide any comments on that  
21       you might have.

22              MS. SAUNDERS: Thank you.

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1 MS. BURNETT: Anyone else?

2 CHAIR BARTHOLME: Anyone on the phone?

3 No. Mitsy.

4 MEMBER HERRERA: Mitsy Herrera from  
5 Montgomery County. Can I just ask the same  
6 question I asked of Mark? Would you consider, I  
7 guess either on your own or if somebody is going  
8 to put this in the record, is if you look to see  
9 that these are good things, should companies  
10 either be required to do them or should they be  
11 required to disclose whether or not they are  
12 doing them so that consumers can understand if I  
13 want these protections, which providers are going  
14 to offer them?

15 MS. BURNETT: So that is not squarely  
16 before the Commission in this proceeding. But as  
17 with the legitimate caller question, I would  
18 certainly welcome that in the record. But it is  
19 not squarely before in our clearly proposed  
20 rules.

21 That said, if it was put in the  
22 record, again, part of this is an NOI, so it

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1       contemplates the possibility of moving forward to  
2       an NPRM on that section later. So even if it  
3       doesn't make it into the rules with the NPRM  
4       portion, it might be something that we could move  
5       forward with but right now, it is not squarely  
6       before the Commission.

7               CHAIR BARTHOLME: Steve.

8               MEMBER MORRIS: I have a totally  
9       selfish question here. Have you given any  
10      thought to maybe moving the deadline for comments  
11      back a few days so it doesn't fall in the middle  
12      of a four-day weekend?

13              MS. BURNETT: Unfortunately, the  
14      comment deadline is set based on -- was set when  
15      the NPRM was adopted and was also then  
16      established by the date of publication. So we  
17      were at the mercy of when the Federal Register  
18      actually published.

19              MEMBER MORRIS: But you have authority  
20      to move it.

21              MS. BURNETT: We have not discussed  
22      that, I'm afraid.

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1 CHAIR BARTHOLME: Any other questions?  
2 Stephanie.

3 MS. PODEY: Hi, Stephanie Podey from  
4 NCTA. Just one question. How do the items  
5 proposals differ from what the Strike Force  
6 recommended or proposed?

7 MS. BURNETT: So, the Strike Force's  
8 recommendation, I don't have the exact wording in  
9 front of me, but was basically about allowing  
10 blocking based on objective standards and  
11 amending the call completion rules to do so.

12 So the major difference, I would say  
13 is, well, one, that we are starting out with just  
14 one subset of that in the NPRM but also that there  
15 is a little more detail on things like  
16 protections for legitimate callers and things  
17 like that, as opposed to sort of a general  
18 allowance of blocking.

19 Anything else? Great. Well, thank  
20 you very much.

21 CHAIR BARTHOLME: Thank you.

22 So next we're joined by Anita Dey.

1 She is the Assistant Bureau Chief with CGB and  
2 she is going to talk to us about robocall outreach  
3 and the unwanted calls page.

4 MS. DEY: Hi, everyone. It sounds  
5 like you've had quite a robocalls day already.  
6 I'll just keep it rolling then.

7 It's good to be back with you. I had  
8 the pleasure of speaking with you in January  
9 about this same topic and, obviously, I can see  
10 that you have a lot of interest in robocalls,  
11 including the consumer outreach and education  
12 that we do. And of course, you have already been  
13 talking about the Strike Force report, so I will  
14 touch on that as well in my overview of what we're  
15 doing.

16 So, as I had told you in January, we  
17 have been issuing robocall alerts, consumer  
18 alerts, and we issued alerts on gift cards, a  
19 utilities scam, financial scams, and of course  
20 the IRS scams.

21 Since then, we issued another alert.  
22 On March 27th, we released an alert about the Can

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1       You Hear Me scam. This is a scam, if you haven't  
2       heard of it, where callers are trying to get the  
3       victim to say the word yes during the call by  
4       saying something like can you hear me. And you  
5       say yes. It gets recorded. And then maybe the  
6       scammer is trying to use that recording to  
7       authorize bank account authorizations or things  
8       like that.

9               So when we issued that alert, it  
10       really struck a nerve with the public because, of  
11       course, we have our social media account. So I  
12       have a couple of numbers. We had 10,533 Facebook  
13       clicks on the announcement. We had 1,955 Twitter  
14       engagements. And I also have the number of page  
15       views because, of course, that alert when on our  
16       fcc.gov. We had 4,815 page views of that alert.  
17       And to put it in perspective, that is about 20  
18       times than the January financial scams alert that  
19       we put out. So that was a very big deal.

20               Our alerts have some standard  
21       information in them. They, of course, explain  
22       the scam. They tell consumers where to report

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1       it, which is usually us, the Federal Trade  
2       Commission, the gift card company if such a card  
3       was involved, and the police.

4               We also offer tips to help consumers  
5       protect themselves. Some of the tips will be  
6       specific to the scam. Some of the tips are more  
7       general. So, I'm sure you all know this already  
8       but I figured it would be helpful to go through  
9       the general tips again.

10              Of course, don't answer calls from  
11       unknown numbers. Let them go to voice mail. If  
12       you are unclear if a caller is legitimate, hang  
13       up, look up the company's phone number  
14       independently on a recent bill or on their  
15       website and call them directly. And of course,  
16       if you are initiating the communication yourself,  
17       you can verify that the request is actually  
18       legitimate.

19              If you answer and the caller, which  
20       can be a recording of course, asks you to hit a  
21       button to stop getting the calls, just hang up  
22       because scammers will use these tricks to

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1 identify and then target live respondents.

2 You can ask your service provider if  
3 a robocall blocking service is available. I have  
4 one and it's been incredibly helpful.

5 We also updated our unwanted calls  
6 consumer guide to reflect these and other tips  
7 and directed people to our website on web  
8 resources for blocking calls. And if you're  
9 curious, you probably know this already, but it's  
10 [www.fcc.gov/unwanted-calls](http://www.fcc.gov/unwanted-calls). And there is more  
11 information and resources on robocall blocking  
12 tools.

13 So when we are thinking about the next  
14 alert, we draw from a variety of sources,  
15 internal and external, to determine what scams  
16 are affecting consumers most. We also coordinate  
17 with other agencies, depending on the topic and  
18 the circumstance. For example, when we kicked  
19 off this project, I guess in November, we  
20 coordinated with the Federal Trade Commission.

21 When we did the IRS scam in December,  
22 we collaborated with the Treasury Inspector

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1 General for Tax Administration.

2 And as I mentioned, you know thinking  
3 about future alerts, we are currently considering  
4 our next one, what it should be, and we would  
5 love your ideas. If you want to tell us what  
6 topics you think would be of most interest, for  
7 example, what topics and scams should we think  
8 about the next one and future ones. Are there  
9 other tips that we should be giving consumers to  
10 make sure they don't fall victim? And how can we  
11 best spread our alerts. Of course, we are  
12 interested in low-cost high-impact distribution.  
13 Currently, our distribution, like I said, is  
14 social media. The consumer alert, I think our  
15 Office of Media Relations may send it out to its  
16 sources but I would have to confirm that. And  
17 then we send it out to the consumer groups that  
18 we know and I think some of you may be on our  
19 mailing list. But if you have other ideas, of  
20 course, please do let us know.

21 So a little bit more about the  
22 unwanted calls webpage. It's on fcc.gov, like I

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1       said. And on it, we highlight the work of the  
2       Industry Robocall Strike Force but we also  
3       supplement that work with other relevant  
4       information.

5               So the information includes resources  
6       from the Federal Trade Commission, the IRS, as  
7       well as the Do Not Call Registry, which of course  
8       we created with the FTC. We also give consumers  
9       general tips on understanding what a robocall is,  
10      when their consent is required, and some of the  
11      different requirements for robocalls to wireless  
12      and those to wired line phones.

13             We really want to have fresh and  
14      meaningful content on our websites. So we really  
15      welcome your suggestions for new content. And  
16      you can contact Scott, of course, with comments,  
17      we can talk about it in the Q and A, or you can  
18      make formal recommendations. Whatever works for  
19      all of you.

20             So just a couple more things about how  
21      we talk about robocalls in our day-to-day work.  
22      We had a robocall webinar on February 16th, where

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1 the entire hour was dedicated to the topic. We  
2 talked about the TCPA, how it is enforced, and  
3 technological solutions. And it is archived on  
4 our website and I wrote down the URL but it is  
5 really long to read out. So, if anybody is  
6 interested, I can send it to you. Just let me  
7 know.

8 And finally, this is Older Americans  
9 Month and, of course, we know that many older  
10 Americans are frequently targeted by scammers.  
11 So we are including robocalls as a topic for our  
12 monthly campaign -- the campaign this month.

13 So of course, we have a social media  
14 component, Facebook being a popular tool for  
15 older Americans and Twitter being a good tool for  
16 younger folks who have older Americans in their  
17 lives.

18 We are going to have a webinar, again,  
19 May 22nd, and one of the topics will be robocalls.  
20 We have a few other things on the agenda as well.

21 And we have got teams going out to  
22 senior centers this month, handing out

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1 information and they will also being going to the  
2 D.C. Annual Senior Symposium, which happens to be  
3 June but we will count it as a part of Older  
4 Americans Month.

5 So, that's what I have for you. I look  
6 forward to your questions. Thanks.

7 CHAIR BARTHOLME: Kevin.

8 MEMBER RUPY: Hi, Kevin Rupy with  
9 USTelecom.

10 Do you have any analytics, Anita,  
11 regarding how many visits you are getting to the  
12 FCC's unwanted calls page and, specifically, the  
13 tool section of the page, just out of curiosity?

14 MS. DEY: I think we do. I know we  
15 have analytics for fcc.gov. I don't know how  
16 specific it gets. I'll have to go back to the  
17 people who actually do that and check with them.  
18 So I will get back to you.

19 CHAIR BARTHOLME: Margot.

20 MS. SAUNDERS: Just a quick question.  
21 Does the FCC envision enforcement actions against  
22 robocallers, if they can identify them?

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1 MS. DEY: So since I am part of the  
2 outreach team, I can't speak to the current  
3 thinking on the enforcement situation with  
4 robocalls. I'm sorry just to sidestep the  
5 question like that. So why don't I talk to the  
6 folks on our team and get back to you?

7 MS. SAUNDERS: Thank you.

8 CHAIR BARTHOLME: Anyone on the line  
9 have a question?

10 Other questions? All right, thank you  
11 for joining us.

12 MS. DEY: Thank you so much.

13 CHAIR BARTHOLME: And we'll get that  
14 link for the archived webinar in February and  
15 make sure everybody gets it. And then we also  
16 can send the link for the webinar coming up on  
17 the 22nd. So that you'll have both the archived  
18 one and the next one to take a look at.

19 Next on the agenda, we have an  
20 introduction to the Broadband Deployment Advisory  
21 Committee, also known as the BDAC. And Brian  
22 Hurley, who is their designated federal officer,

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1 from the Wireline Competition Bureau is going to  
2 join us.

3 MR. HURLEY: Thank you everyone. It  
4 is a pleasure to be here. As Ed already  
5 mentioned, my name is Brian Hurley. I am in the  
6 Wireline Competition Bureau here at the FCC and  
7 I am the designated federal office for the  
8 Broadband Deployment Advisory Committee.

9 So I am just here to give a little bit  
10 of an overview of the BDAC, as we call it, and  
11 kind of what we've done so far and where we're  
12 headed.

13 So the BDAC is a Federal Advisory  
14 Committee chartered under the Federal Advisory  
15 Committee Act, just like the CAC. We were  
16 officially established on March first of this  
17 year. So that means our charter runs through  
18 March first of 2019. And we can, of course, seek  
19 to renew it for an additional two years, as other  
20 committees have done.

21 The BDAC's mission, in a nutshell, it  
22 is to make recommendations to the Commission on

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1       how to accelerate the deployment of a high-speed  
2       internet access or broadband by reducing or  
3       removing regulatory barriers to infrastructure  
4       investment. So the BDAC is really intended to be  
5       a means for stakeholders to share ideas and  
6       develop recommendations to the Commission on  
7       broadband deployment which will, in turn, enhance  
8       the Commission's ability to discharge its  
9       statutory responsibilities to encourage  
10      broadband deployment to all Americans.

11               So, I'll just go and give you kind of  
12      a quick time line of BDAC activity, what we've  
13      done so far and kind of where we're headed during  
14      this calendar year of 2017.

15               So on January 31st, we released a  
16      public notice soliciting nominations for BDAC.  
17      We sought representatives from various sectors of  
18      the communications industry, State and local  
19      regulators, and consumer and community  
20      organizations. As you may have heard, we received  
21      quite a volume of interest. We received over 380  
22      nominations. I think that was probably a bit more

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1       than most of us were anticipating. But it was a  
2       very encouraging sign and there was certainly a  
3       wealth of great applicants to choose from.

4               So on April 6th of this year, we  
5       announced the 29 members of the BDAC. The chair  
6       of the BDAC is Elizabeth Pierce. She is the CEO  
7       of a company called Quintillion. It's an Alaska-  
8       based company that deploys fiber optic cable to  
9       serve very remote, extremely remote communities  
10      in northern and western Alaska.

11             And then our vice chair, her name is  
12      Kelleigh Cole and she is the Broadband Outreach  
13      Director for the State of Utah.

14             Excuse me. In that April 6th public  
15      notice, we also noticed five working groups that  
16      will be assisting the BDAC in carrying out its  
17      work and I will kind of go over those one-by-one  
18      briefly here in a moment.

19             So the BDAC held its first in-person  
20      meeting here in this room on April 21st. The  
21      meeting largely consisted of everyone kind of  
22      getting to know each other and staff making

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1 presentations to the BDAC just to kind of give  
2 them a sense of what was coming and kind of some  
3 of the context in which they would doing their  
4 work.

5 So the next step has been trying to  
6 set up the working groups for the BDAC and get  
7 those up and running. As I said, there are five  
8 working groups that we announced in the public  
9 notice. Since subsequent public notices over the  
10 last week or two, we have actually announced the  
11 membership of four of the working groups. So,  
12 we're still putting together the fifth one.

13 And then the next meeting of the BDAC,  
14 we are looking at July 20th, which I think is a  
15 Thursday. And really the purpose of that meeting  
16 will be for the working groups to sort of present  
17 the work that they have done to date. It's an  
18 opportunity for the full committee to discuss and  
19 provide input on all of the product and,  
20 hopefully, give the working group some ideas and  
21 some feedback that will help them as they go  
22 forward in continuing to develop their

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1 recommendations.

2 And then we are looking at an end of  
3 the year meeting sometime in the October or  
4 November time frame. And the purpose of that  
5 meeting would be to vote on final recommendations  
6 for at least for 2017.

7 And as I will explain the working  
8 groups, two of those -- some of the deliverable  
9 we're hoping to get at that end of the year  
10 meeting are two Model Codes, one for State  
11 governments, one for municipal governments, both  
12 of which are intended to provide model  
13 provisions, guidelines on how to accelerate  
14 broadband deployments.

15 And I should mention the working  
16 groups, if you take a look, if you have seen any  
17 of the public notices we have released so far on  
18 those, the working groups will include both  
19 members of the BDAC, the 29 members, as well as  
20 some additional applicants who were not selected  
21 for the full BDAC. So it is an opportunity to  
22 bring in some additional voices to sort of

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1 further enrich the work.

2 So I will just briefly run through the  
3 working groups. The first four of these we  
4 announced the members of and they are in the  
5 process of getting to work and scheduling their  
6 first calls and doing all of that.

7 So the first of the working groups, as  
8 I mentioned is TAC. It's the Model Code for  
9 Municipalities Working Group. And actually the  
10 CAC's own Debra Berlyn is a member of that group.  
11 So, thank you Debra for agreeing to do double  
12 duty on two groups.

13 So the purpose of this group is fairly  
14 straightforward. It is to draft a model code for  
15 municipalities to accelerate broadband  
16 deployment. And we have suggested some areas they  
17 could look at, things like franchising, zoning,  
18 permitting, dig once. But we are really leaving  
19 it open to the group to decide kind of what  
20 components, what elements should be included in  
21 this code as well as the State code. And for both  
22 codes, we have emphasized that it should be

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1 designed to meet the needs of broad diverse-  
2 ranging municipalities that differ in terms of  
3 their geography and population density size,  
4 different background, regulatory environments  
5 and other factors.

6 So, that's one group. AS I said --

7 MEMBER MCELDOWNEY: I'm sorry. Let me  
8 ask a question. This is Ken McEldowney, Consumer  
9 Action.

10 Would that also look at the ability of  
11 municipalities to establish their own broadband?

12 MR. HURLEY: It's really up to the  
13 group to determine sort of what the components of  
14 the code will include. So we haven't gotten far  
15 enough to say exactly what the components will  
16 be.

17 MEMBER HERRERA: Did you include  
18 anybody in there who is from a community that has  
19 launched their own broadband?

20 MR. HURLEY: I'm not sure, to be  
21 honest.

22 CHAIR BARTHOLME: Your working group

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1 memberships are posted on the BDAC site?

2 MR. HURLEY: They are, yes for the  
3 first four of the working groups, yes. They  
4 should be there. If they're not, if you can't  
5 find them, I can certainly track them down for  
6 you.

7 So the second working group I  
8 mentioned, they are working on drafting a model  
9 code for State governments. Part of the role  
10 there will be to be look at the roles of State  
11 regulatory agencies and other bodies in sort of  
12 addressing things that states can do to promote  
13 more robust deployment at the municipal level.  
14 And, again, if we want it to be able to cover a  
15 diverse range of States.

16 So the third group is called the  
17 Competitive Access to Broadband Infrastructure  
18 Group. A large focus of this group is on pole  
19 attachments, access to utility poles. And I  
20 should actually mention another member of the  
21 CAC, Ross Lieberman has agreed to be a member of  
22 that group. So, thank you as well.

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1           So this group will be developing  
2       recommendations on how to promote speedier more  
3       efficient access to utility poles, while ensuring  
4       the safety and the integrity of existing  
5       attachments. They also look at recommendations  
6       on promoting access to other infrastructure, like  
7       ducts and conduits, rights of way.

8           So, the fourth group is the Removing  
9       State and Local Regulatory Barriers Group and  
10      they are looking at identifying patterns of  
11      instances of actions that have been taken at the  
12      state and local level that could serve as  
13      barriers to broadband deployment, providing  
14      recommendations to the Commission on how to  
15      address those.

16           And then there's a fifth group that  
17      we're still putting together the membership for  
18      and that is the Streamlining Federal Siting  
19      Group. They are focused on recommendations to  
20      improve the process of siting infrastructure on  
21      federal lands, also on federally-managed  
22      properties, looking at such things as

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1 recommending standard procedures for facility  
2 siting, recommendations on how to standardize the  
3 duration of leases and easements, and just other  
4 aspects of that.

5 So, that's a quick overview of kind of  
6 the BDAC and the working groups that we in the  
7 process of putting together.

8 One final thing I will point out is we  
9 do have an open docket that we've set up,  
10 basically as a repository for if anyone wants to  
11 submit comments for the BDAC, it is Docket 17/83.  
12 So, anyone is free to file anything there that  
13 they think would be interesting or worthwhile for  
14 the BDAC.

15 So, thanks.

16 CHAIR BARTHOLME: Great. Any  
17 questions? Steve.

18 MEMBER MORRIS: Can you talk a little  
19 bit about how, if at all, the relationship  
20 between the BDAC process and the rulemaking  
21 proceedings, where the Commission will be  
22 collecting comments from the -- about the same

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1 issues but --

2 MR. HURLEY: No, it's a good question  
3 and that is actually something we have thought  
4 about a little bit. I think to see precisely how  
5 they interplay is something that I think we'll  
6 have to see as both kind of processes develop.

7 One thing we have done, though, is we  
8 put out a public notice right at the beginning of  
9 the BDAC process, clarifying comments, and any  
10 presentations, and things that are made in the  
11 context of the BDAC like at a BDAC meeting or in  
12 one of our working group calls. Those are exempt  
13 from the ex parte rules that apply in those  
14 different rulemaking proceedings. So the idea  
15 there is that people can kind of -- within the  
16 context of BDAC, people can communicate openly  
17 and freely on these issues.

18 If it is determined at a later point  
19 that there is something that is discussed in BDAC  
20 that we think might be useful to inform what we're  
21 doing in rulemakings, then we'll make sure that  
22 that information is put into the record and the

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1 docket for those rulemakings, if it is going to  
2 be, in any way, the basis for a decision. So  
3 that's kind of how we've been dealing with it.

4 CHAIR BARTHOLME: Mitsy.

5 MEMBER HERRERA: Mitsy Herrera from  
6 Montgomery County, Maryland.

7 The Commission has a long history of  
8 different rulemakings in which they have  
9 preempted municipalities and local governments in  
10 various areas so that they could promote  
11 deployment. And there are many States out there  
12 that have engaged in various schemes in which  
13 they have either created one-size-fits-all or  
14 preempted across the board.

15 Is the FCC staff planning to provide  
16 any analysis to look at? Where you have those  
17 experiments, have these types of restricting  
18 preempting local governments as a way of reducing  
19 barriers, has it actually led to more deployment  
20 compared to areas that have stronger regulatory  
21 regimes?

22 MR. HURLEY: I mean so I would say in

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1 the context of the BDAC, I mean it's really the  
2 BDAC that is doing the work of developing.

3 MEMBER HERRERA: But you've selected  
4 all the people on the BDAC.

5 MR. HURLEY: We have. That's true.

6 MEMBER HERRERA: Right. So, I mean  
7 you have other cases and we have had lots of  
8 conversations in various iterations of this group  
9 about data-driven analysis and whether these  
10 rules have actually had impact. So you have a  
11 good decade plus from cable franchising, to  
12 various States, to preempting local governments,  
13 to preempting municipal broadband. You have lots  
14 of examples of where you've done that.

15 So, is it useful to provide to the  
16 BDAC some empirical analysis? You collect all  
17 kinds of data about fiber deployment, copper line  
18 deployment. You've got lots of those reports and  
19 you've got statistical analysis departments.

20 MR. HURLEY: I mean it's a fair  
21 question and we're working with the BDAC in the  
22 different working groups to see kind of what

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1 information is useful to them but they are really  
2 kind of operating independently, in terms of  
3 deciding what information to gather and how to  
4 analyze everything.

5 CHAIR BARTHOLME: Anybody on the phone  
6 line? Rick.

7 MR. ELLROD: I'm Rick Ellrod, Fairfax  
8 County.

9 To follow-up on Mitsy's question, will  
10 the BDAC conduct a cost-benefit analysis before  
11 issuing recommendations?

12 MR. HURLEY: I mean not to sound like  
13 a broken record but it's really up to the BDAC to  
14 kind of determine what recommendations to make  
15 and sort of what analysis will underpin or  
16 underlie the recommendations.

17 MR. ELLROD: Well, let me ask another  
18 question about the structure of the BDAC. As you  
19 know, the majority of the BDAC members are from  
20 industry seeking preemption. The chairman of  
21 each working group is from the industries. What  
22 specific procedures and methods are you putting

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1 in place to ensure that the local governments who  
2 actually make these rules and are familiar with  
3 how they are made, their input is fully heard and  
4 taken into account?

5 MR. HURLEY: I mean --

6 MR. ELLROD: What specific procedures  
7 are you putting in its place?

8 MR. HURLEY: We've included members  
9 from governments on the various working groups.  
10 And so the members of the groups have the full  
11 opportunity to advocate for their views. And we  
12 have been working with the chairs of the  
13 different groups to make sure that the meetings  
14 are being done and conducted in a way that  
15 everyone's having the full opportunity to have  
16 their say.

17 CHAIR BARTHOLME: And to the extent  
18 that we have issues overlap, I would hope that  
19 Scott and you can help us find the pathways to  
20 the right people so that our members would have  
21 discussions, if that makes sense, with the  
22 corresponding members of BDAC working groups or

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1 other ways to communicate.

2 MR. HURLEY: Absolutely.

3 CHAIR BARTHOLME: And have you and  
4 Scott talked about forming sort of like a happy  
5 hour support group?

6 MR. MARSHALL: I'm all for that.

7 MR. HURLEY: Scott, let's talk.

8 CHAIR BARTHOLME: Thanks for joining  
9 us.

10 MR. HURLEY: Thank you.

11 CHAIR BARTHOLME: So next up, we have  
12 a consideration of a recommendation.

13 MR. MARSHALL: Wow!

14 CHAIR BARTHOLME: So the Robocall  
15 Working Group, which Kevin and I co-chair, have  
16 put forth a recommendation that was distributed  
17 in advance as part of the meeting packets to  
18 everyone.

19 There were two changes that I emailed  
20 around to the group this morning. Those are being  
21 considered friendly amendments by the working  
22 group. And I just wanted to make sure that

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1 everybody got those, had a chance to read those.  
2 On top of the folder at each seat was a clean  
3 updated version of the recommendation that  
4 incorporates those changes that were sent out and  
5 highlighted earlier.

6 Does anyone have any questions about  
7 the --

8 MEMBER BERLYN: Do we have to move it  
9 first?

10 CHAIR BARTHOLME: We can move the  
11 recommendation, sure. Yes, do I get a motion?

12 MEMBER BERLYN: Motion to move.

13 CHAIR BARTHOLME: Can I get a second?

14 MEMBER MORRIS: Second.

15 CHAIR BARTHOLME: Now, on the  
16 amendments are there any questions or comments?  
17 Does anybody want them read out? Okay.

18 Any further discussion?

19 MEMBER BERLYN: The amendments are  
20 about the whole thing.

21 CHAIR BARTHOLME: About the whole  
22 thing.

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1                   Kristen.

2                   MEMBER WITANOWSKI: I just want thank  
3 you, Ed and Kevin, for this recommendation. I  
4 think all the back and forth you had and the  
5 openness with all the groups really made this a  
6 good first recommendation for the CAC. So,  
7 thanks again for your leadership.

8                   CHAIR BARTHOLME: Thank you.  
9 Debbie.

10                  MEMBER BERLYN: I want to second that,  
11 just to say that this is a really good,  
12 comprehensive recommendation for us. So, thank  
13 you Ed and Kevin.

14                  CHAIR BARTHOLME: Mark.

15                  MEMBER RICHERT: Thanks. Mark  
16 Richert, American Foundation for the Blind.

17                  I'll third it but I do have a general  
18 question. In item number four, it talks --  
19 specifically references accessible formats. I  
20 have no problem with this language and I'm not  
21 proposing any language changes. I assume that  
22 we're all going to nod our head in agreement that

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1 we are also talking here about the accessibility  
2 of any online delivery of the complaint forms, et  
3 cetera. It's not just talking about hard  
4 materials.

5 CHAIR BARTHOLME: That was the  
6 understanding, yes.

7 MEMBER RICHERT: And with that, thanks  
8 so much. I really appreciate the emphasis on  
9 allowing folks with disabilities to have an  
10 active part in this process. I much appreciate  
11 it.

12 CHAIR BARTHOLME: Can we call for the  
13 question?

14 MEMBER HERRERA: I'm sorry, can I --

15 CHAIR BARTHOLME: Mitsy.

16 MEMBER HERRERA: I was trying to read  
17 faster. I was just thinking of the thing that  
18 somebody mentioned today was, and I'm looking for  
19 the right spot in here, if you have ten -- if you  
20 are Clyburn's cousin and you have ten numbers  
21 that you collected, is that number seven is --

22 MEMBER WITANOWSKI: It would allow

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1 multiple unwanted calls to be reported, requiring  
2 a minimum amount of info.

3 MEMBER HERRERA: Great. Yes, she just  
4 mentioned that. So I'm looking at that, yes.

5 Okay, so that's great. I think that  
6 was really helpful because when you said you had  
7 to do 20 more questions for each one, that was  
8 good.

9 And then the other one is on number  
10 nine, where it says about the app for mobile  
11 devices, so what I have noticed within my  
12 colleagues is for -- and I don't think -- is CEA  
13 is not on this group anymore, right? Okay, so  
14 the issue is is that for different mobile phones,  
15 the ability, when you get a call in to say I want  
16 to block that number, some do, other ones you  
17 have to save it as a contact and then you block  
18 it.

19 So, I'm just wondering if there is any  
20 ability -- I think it is in this app section but  
21 it's either that or working with -- they should  
22 work with the device manufacturers, themselves,

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1 to make it easier for the consumer in some kind  
2 of one-touch to block that number.

3 And then I don't know if that makes it  
4 easier if you have the app to sort of say great,  
5 these are the numbers I've just blocked, please  
6 report them.

7 But is there a way to make a friendly  
8 amendment to that?

9 CHAIR BARTHOLME: I would say that I  
10 think that the scope of the recommendation was  
11 more focused on complaints than the ability to  
12 block. And to the extent that this sort of app,  
13 perhaps created by the Commission itself in  
14 collaboration with providers and device  
15 manufacturers would facilitate complaining, as  
16 opposed to just blocking.

17 We do plan to tee up other things  
18 along those lines in future recommendations but  
19 this was focused specifically on facilitating  
20 complaint and driving complaint data.

21 MEMBER HERRERA: Okay.

22 MEMBER WITANOWSKI: And Mitsy, I would

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1 just -- you're right. Different platforms do  
2 things different ways. But on CTIA's webpage  
3 dealing with robocalls, we have videos for each  
4 of the platforms showing consumers how to block  
5 calls on the individual platforms for IOS and  
6 BlackBerry, and Android, and Windows. So I would  
7 direct folks to that or point consumers to that  
8 webpage if they're getting confused. There are  
9 step-by-step instructions.

10 MEMBER HERRERA: Okay. So I would  
11 just withdraw the friendly amendment and just say  
12 that in a future recommendation I think that  
13 these other strategies that really help consumers  
14 block the calls and having the FCC -- I don't  
15 know how they feel about linking to CTIA --

16 MEMBER WITANOWSKI: They do now on  
17 their Unwanted Calls pages.

18 MEMBER HERRERA: Okay, that's great.  
19 So yes, I just think maybe an additional follow-  
20 up recommendation is something that is focused on  
21 the strategies to help consumers block calls  
22 would be useful.

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1 CHAIR BARTHOLME: Sure. Zainab.

2 MEMBER ALKEBSI: Hi, this is Zainab  
3 speaking. So I have a comment and a question.

4 First of all, the comment is, thank  
5 you so much for all of your hard work on this and  
6 for making sure that you have checked in with us  
7 members, specifically members with disabilities  
8 and how this would apply to us. That's something  
9 that we definitely needed.

10 And then that brings me to my  
11 question. And the question is about how we can  
12 relate number four and number nine to each other.  
13 Number four talks about the accessibility of  
14 educational resources and the complaint form; and  
15 then number nine talks about the app.

16 And I understand that that app is a  
17 way to file a complaint but that doesn't make any  
18 mention of accessibility. So, number nine  
19 doesn't talk about accessibility of the app.

20 So my question is about that, how  
21 those relate to each other.

22 CHAIR BARTHOLME: My understanding is,

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1 and if anybody in the group interpreted this  
2 differently during the creation process, please  
3 chime in, but number four was speaking to the  
4 existing complaint formats and forms that are  
5 already out there, so the web portal and other  
6 paths of entry, whether it's the telephone system  
7 that CHC uses and things like that.

8 The development of the app would be a  
9 new additional way to input complaints. Having  
10 said that, though, there is no reason why that  
11 app should not be accessible. And I would hope  
12 and think that anything that the FCC creates and  
13 puts out there for public use and consumption  
14 would meet accessibility requirements and  
15 formats.

16 MEMBER ALKEBSI: So, okay, thank you.  
17 And I agree you know the concern is that it has  
18 been an afterthought. And so then there is a lot  
19 of time lost in that process. And so there is no  
20 harm as making this as clear as possible from the  
21 get-go.

22 CHAIR BARTHOLME: Is there a proposed

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1 change or language?

2 MEMBER ALKEBSI: Yes, to add that the  
3 development of the app include all accessibility  
4 considerations, et cetera, et cetera.

5 MEMBER HERRERA: Can you just -- is it  
6 possible after mobile devices you could say  
7 something like so it can be used by consumers  
8 with mobile devices, either including consumers  
9 with disability or including devices that feature  
10 -- that have accessibility features, one of those  
11 to insert right in there?

12 MEMBER ALKEBSI: This is Zainab  
13 speaking. That doesn't really work for me because  
14 that is actually quite limited. It is limited to  
15 the accessibility of the device but we want to  
16 think about the accessibility of the app itself.

17 MEMBER HERRERA: But the app is only  
18 used on the device.

19 CHAIR BARTHOLME: Mark, did you have  
20 --

21 MEMBER ALKEBSI: Yes, that would work,  
22 putting the word accessible before the word app.

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1                   MEMBER RICHERT:   Following up on,  
2                   Mitsy, your comment, so right after that  
3                   essentially saying it can or should, whatever the  
4                   appropriate lingo is we're doing here, be  
5                   accessible to and usable by people with  
6                   disabilities.

7                   MEMBER HERRERA: Yes, you could just  
8                   add at the end the app should be accessible and  
9                   usable by people with disabilities.

10                  MEMBER RICHERT:   Accessible to and  
11                  usable by.

12                  MEMBER ALKEBSI:   This is Zainab  
13                  speaking. Yes, I agree with that.

14                  CHAIR BARTHOLME: Accessible to and  
15                  useable by people with disabilities.

16                  (Simultaneous speaking.)

17                  CHAIR BARTHOLME: So develop an app  
18                  that can be used by consumers with mobile devices  
19                  to quickly file complaints for unwanted calls  
20                  received on their device, period.

21                  MEMBER RICHERT:   And that is  
22                  accessible to and usable by.

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1 CHAIR BARTHOLME: And that is --

2 MEMBER HERRERA: But if you just make  
3 a separate sentence, it might be more -- you've  
4 kind of crammed a lot into a single sentence.

5 CHAIR BARTHOLME: The app --

6 MEMBER HERRERA: The app should be  
7 accessible to and usable by people with  
8 disabilities.

9 CHAIR BARTHOLME: -- accessible to and  
10 useable by people with disabilities.

11 Anybody else need that re-read out?

12 So do we have a motion to accept the  
13 amendment?

14 MEMBER GRANT: I so move.

15 MEMBER ALKEBSI: Second.

16 CHAIR BARTHOLME: All in favor of  
17 accepting the amendment?

18 (Chorus of aye.)

19 CHAIR BARTHOLME: Opposed?

20 (No audible response.)

21 CHAIR BARTHOLME: Abstentions?

22 (No audible response.)

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1 CHAIR BARTHOLME: Seeing none, are we  
2 ready to call the question?

3 MEMBER MCELLOWNEY: Yes.

4 CHAIR BARTHOLME: Does somebody want  
5 to move to call the question?

6 MEMBER MCELLOWNEY: So moved.

7 CHAIR BARTHOLME: Thank you, Ken.  
8 Second?

9 MEMBER POIASK: Yes.

10 CHAIR BARTHOLME: All in favor?

11 (Chorus of aye.)

12 CHAIR BARTHOLME: Opposed?

13 (No audible response.)

14 CHAIR BARTHOLME: Abstentions?

15 (No audible response.)

16 CHAIR BARTHOLME: Seeing none, it  
17 passes. Thank you, everyone.

18 Next up we have some reports from the  
19 working -- Mitsy.

20 MEMBER HERRERA: Sorry. Can I just  
21 ask as a follow-up on this particular one, since  
22 we've had almost an entire devoted to robocalls?

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1 Can we ask that the Commission at the next two --  
2 or at the remaining CAC meetings give us an update  
3 on any progress or no progress on these items?

4 CHAIR BARTHOLME: We can ask.

5 MEMBER HERRERA: Thank you.

6 CHAIR BARTHOLME: Sure.

7 Next up on the agenda, we have reports  
8 from the working groups. So, let's start with  
9 Debbie, who is chair of the Privacy Working  
10 Group.

11 MEMBER BERLYN: Thank you, Ed. So, I  
12 think it's fitting that I go first, seeing it's  
13 the working group that is actually not listed in  
14 your packet. And there is a reason for that that  
15 many around the table know. The Privacy Group is  
16 probably the shortest-lived working group in the  
17 CAC. We had a lot of activity and I want to -- I  
18 will thank everybody in just a moment. But we  
19 had a very important task that was part of the  
20 Open Internet Order -- I'm sorry - the Privacy  
21 Order. I'm sorry, there is a reasons for OIO  
22 being on my mind but the Privacy Order.

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1                   And the CRA that was passed by  
2 Congress sort of put a halt to our work. So the  
3 standard privacy notice that we were tasked to  
4 complete was no longer relevant to the FCC's  
5 privacy rules. So, therefore, our work was  
6 curtailed and so the privacy working group has  
7 basically no task before it. And I guess, Ed,  
8 the privacy group is going to join other efforts  
9 at the CAC and no longer be working on privacy  
10 for now.

11                   MEMBER MCELLOWNEY: But let's keep  
12 this private.

13                   MEMBER BERLYN: For now, shall we say,  
14 Ken?

15                   MEMBER MCELLOWNEY: Yes.

16                   MEMBER BERLYN: Our group will be  
17 looking for other important consumer issues, as  
18 the Commission seeks our efforts to do.

19                   So I want to thank the hard work of  
20 the members of the Privacy Working Group. We  
21 really put in a lot of time toward the standard  
22 privacy notice. We were working towards a June

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1 first deadline. We were meeting at least every  
2 other week, if not more often to try and come up  
3 with a great product. We were, I don't know, at  
4 least two-thirds of the way along in doing that.  
5 And everybody who worked on that effort, many who  
6 are sitting around the table now, put in a great  
7 deal of time to do that. Susan and Ken on the  
8 phone, and Zainab, Krista, Elizabeth. Who am I  
9 missing? Oh, Lynn from USTelecom, Ed Dallas, who  
10 has moved on to another position, and John, thank  
11 you John from NCL.

12 So you know many folks. I'm sure I  
13 missed some but thank you everyone for the work  
14 that you did on the working group and we look  
15 forward to other issues that we will tackle.

16 So, thank you.

17 CHAIR BARTHOLME: Thank you.

18 Steve, Technology Transitions.

19 MEMBER POCIASK: Yes, so not much to  
20 report. Okay, we held a call. One of the  
21 requests that were made to have someone from AT&T  
22 on a call to talk about the status or the

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1 withdrawal from the trials. We had that call.

2 And second, we were tasked with  
3 getting a presentation with the FCC's point of  
4 contact but that position still remains vacant.  
5 So that kind of put a damper on some of that.

6 But where we are right now, so really  
7 there is little that has been done but we have  
8 eight topics that were teed up and we're starting  
9 to get a little bit of input from members who  
10 were assigned some of those tasks.

11 So, at this point in time, I think  
12 we're just going to -- I'll be circling back with  
13 Mark DeFalco, who I don't think is on the call,  
14 and he and I will have to just set up a meeting.  
15 We'll go back through the issues that were  
16 raised, see what the status in, and try to move  
17 ahead with the ones that we think are probably  
18 bear the most fruit.

19 So, really not much to report.

20 CHAIR BARTHOLME: Thanks, Steve.

21 Amina or Olivia.

22 MEMBER FAZLULLAH: Hi, Olivia, should

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1 I start or do you want to start?

2 MEMBER WEIN: Oh, go for it, Amina.

3 MEMBER FAZLULLAH: So, we had a short  
4 working group meeting today. We chatted about  
5 potential recommendations. We are looking into a  
6 smaller subgroup within our working group to pull  
7 together consideration of a recommendation around  
8 a small section of the new net neutrality NPRM  
9 that may affect Lifeline. So we are looking into  
10 that.

11 We are also keeping an eye on the  
12 Lifeline broadband provider process. The  
13 Chairman's Office has indicated an interest in  
14 opening up a docket to look into that particular  
15 section of the Lifeline Modernization Order. So,  
16 we are considering keeping tabs on that. If it  
17 does come out, we will consider putting  
18 recommendations together to participate in that  
19 docket as well.

20 Right now on E-rate, we are just  
21 keeping track of sort of issues around E-rate and  
22 potential changes to E-rate.

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1           As far as we can see right now, we  
2       don't see any open dockets, though that doesn't  
3       preclude us from putting a recommendation  
4       together. However, at this point we are just sort  
5       of in a wait and see mode. So, we will be sharing  
6       information and looking into it.

7           It may be a good topic for us down the  
8       road to get a report from the FTC just to get a  
9       sense of where things are headed.

10          The last area was digital inclusion.  
11       And this is a little bit more far-reaching but we  
12       have started a discussion around the idea of a  
13       more comprehensive approach to infrastructure,  
14       support, and digital inclusion.

15          So, we are looking into whether or not  
16       it would be a single recommendation that would  
17       come from the working group, something that we  
18       would collaborate with the other working groups  
19       like the IP Transition Group. If we're talking  
20       about things like infrastructure deployment, or  
21       easing deployment in rural areas, or  
22       considerations around municipal broadbands.

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1           And then also, we are also considering  
2           working with other committees. So, we will be  
3           looking into kind of what the best way to kind of  
4           work on these issues will be.

5           So those are sort of the topics I  
6           think we discussed during our working group.

7           Olivia?

8           MEMBER WEIN: You got it, Amina.

9           CHAIR BARTHOLME: Thank you.

10          So the Robocalls Working Group, we  
11          just passed a successful recommendation, so that  
12          was great. We're going to try and carry forward  
13          on that momentum. We, obviously, had a  
14          presentation today about the NPRM and NOI that's  
15          been teed up. We'll be looking at that for  
16          possible areas of recommendation. I think there  
17          are a number of other issues in the robocall space  
18          that might be good for our group to focus on.  
19          Specifically, I would like to see if there are  
20          opportunities to follow-up on today's  
21          recommendation, whether it's providing specific  
22          input about complaint forms and some of the

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1 things that we've suggested to the Commission to  
2 help make it a little more actionable for the  
3 Commission so that some of these consumer-  
4 friendly suggestions can become a reality.

5 So, that concludes the robocall  
6 update.

7 Does anybody have any questions on the  
8 working group updates?

9 Mitsy.

10 MEMBER HERRERA: Just for the next  
11 meeting and working groups, can you give us a  
12 rough idea of when recommendations would need to  
13 be completed by, so that we can kind of be working  
14 the time line backwards?

15 CHAIR BARTHOLME: Okay. So, the next  
16 meeting of the full CAC is scheduled for  
17 September 18th. That's a Monday, as opposed to  
18 our traditional Friday. So, based on the 18th,  
19 about six weeks back, so essentially the  
20 beginning of August, loosely, we need to have a  
21 sentence or two about the concept of a  
22 recommendation. Ideally, we always try to have

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1 the language of a recommendation two weeks prior.  
2 Is that correct, Scott? Two weeks prior. So  
3 right after Labor Day would be the goal to have  
4 a text completed for distribution and preparation  
5 for the full CAC meeting.

6 And as was mentioned earlier today, we  
7 can file comments ex parte. So even if we're  
8 slightly off from some of the posted comment  
9 cycles for things that we're discussing and  
10 passing recommendations on, that would still be  
11 appropriate for us to provide that input.

12 Do we have any comments from the  
13 public?

14 Okay. Motion to adjourn?

15 MEMBER GRANT: So moved.

16 MR. MARSHALL: Before everybody  
17 leaves, though, I need your tent card back, if  
18 you would, please, so we don't have to reprint  
19 them all the time.

20 CHAIR BARTHOLME: All right.

21 MR. MARSHALL: And by the way, my  
22 thanks to Brittany Gomes, too, who has been

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1 absolutely great helping me support all of you  
2 fine folks in your working groups and in the full  
3 committee. Thank her very, very much for all her  
4 good work.

5 CHAIR BARTHOLME: So, quickly, a  
6 motion.

7 MEMBER MCELLOWNEY: So moved.

8 CHAIR BARTHOLME: Second.

9 All in favor?

10 (Chorus of aye.)

11 MR. MARSHALL: Thanks, everybody.

12 CHAIR BARTHOLME: Have a good weekend.

13 MR. MARSHALL: Yes, enjoy the weekend.

14 (Whereupon, the above-entitled matter  
15 went off the record at 2:06 p.m.)

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