

**STATEMENT OF
CHAIRMAN AJIT PAI**

Re: *Affordable Enterprises of Arizona, LLC*, File No.: EB-TCD-17-00024974

Today, we continue our full court press to combat unwanted and unlawful spoofed telemarketing calls. In 2018, we found Affordable Enterprises of Arizona, LLC (Affordable) apparently liable for making millions of unlawfully spoofed telemarketing calls to consumers throughout Arizona and proposed to levy a \$37,525,000 fine against the company. In this Forfeiture Order, we affirm our earlier findings and impose that penalty.

To recap the sordid tale, Affordable used telemarketing calls to promote its business of selling remodeling and home improvement services. An investigation by our intrepid Enforcement Bureau staff found that during a 14-month period spanning 2016 and 2017, Affordable made 2,341,125 unlawful spoofed telemarketing calls in violation of the Truth in Caller ID Act and the Commission's rules.

Affordable asserts that it didn't know it was transmitting inaccurate or misleading caller ID information along with its calls, but the facts disagree. From the get-go, the company deliberately ensured that its business name wasn't included in caller ID information by using prepaid phones not registered to its business. Moreover, the company continued to use the numbers of prepaid phones it had allowed to become deactivated, knowing full well that upon deactivation those numbers would become unassigned, or worse, reassigned to innocent consumers. But rather than discontinue use of these numbers, the company brazenly continued to use them. For example, staff found that Affordable had displayed one of these numbers in the caller ID information for 48,349 calls during the period it was assigned to an innocent consumer. The unfortunate owner of this number received more than five calls per day from angry consumers asking for relief from these telemarketing calls.

Affordable seeks a slap on the wrist, asking us to impose a penalty of just \$3,752.50, or 0.01% of the proposed forfeiture, given its alleged inability to pay. No. The facts, Commission precedent, and statutory guidelines fully warrant a \$37,525,000 penalty.

I want to thank our staff for their meticulous work in bringing this action before the Commission: Lisa Gelb, Rosemary Harold, Jermaine Haynes, Shannon Lipp, Nakasha Ramsey, Linda Sims, Daniel Stepanicich, Kristi Thompson, Lisa Zaina, Kimbarly Taylor, Brandon Thompson, Kimberly Thorne, Bridgette Washington, Lisa Williford, and Shana Yates of the Enforcement Bureau; Eduard Bartholme, Kurt Schroeder, Mark Stone, and Kristi Thornton of the Consumer and Governmental Affairs Bureau; Shante Willis of the Media Bureau; Valerie Hill, Rick Mallen, and Bill Richardson of the Office of General Counsel; and Pam Arluk, Matthew Collins, Daniel Kahn, and Melissa Droller Kirkel of the Wireline Competition Bureau.