



Federal Communications Commission
Enforcement Bureau
45 L Street, NE
Washington, DC 20554

October 21, 2021

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED

To: Mohammed Mashadi
CEO
Primo Dialler LLC
1309 Coffeen Avenue
STE 1200
Sheridan, WY 82801

cc: support@primodialler.com

Re: Official Correspondence from the Federal Communications Commission

Dear Mr. Mashadi,

We have determined that Primo Dialler LLC (Primo Dialler) is apparently originating illegal robocall traffic on behalf of one or more of its clients. You should investigate and, if necessary, cease transmitting such traffic immediately and take steps to prevent your network from continuing to be a source of apparent illegal robocalls. As noted below, downstream voice service providers will be authorized to **block all of Primo Dialler's traffic** if you do not (1) take steps to "effectively mitigate illegal traffic within 48 hours," and (2) inform the Commission and the Traceback Consortium within fourteen (14) days of the date of this letter (November 5, 2021) of the steps you have taken to "implement effective measures" to prevent customers from using your network to make illegal calls.¹ Additionally, if you continue knowingly or negligently to originate illegal robocall campaigns after responding to this letter, **we may remove your certification from the Robocall Mitigation Database thereby requiring all intermediate providers and terminating voice service providers to cease accepting your traffic.**²

Basis for finding apparent violations. You are receiving this letter because our investigation revealed that Primo Dialler apparently originated multiple illegal robocall campaigns, as set forth in Attachment A. The Federal Communications Commission's Enforcement Bureau (Bureau) works closely with the USTelecom's Industry Traceback Group (Traceback Consortium), which is the registered industry consortium selected pursuant to the TRACED Act to conduct tracebacks.³ Between September 24, 2021 and October 7, 2021, Traceback Consortium investigated prerecorded voice message calls that

¹ See 47 CFR § 64.1200(k)(4).

² *Call Authentication Trust Anchor*, WC Docket No. 17-97, Second Report and Order, 36 FCC Rcd 1859, 1903, para. 83 & 1904, para. 86 (2020); 47 CFR § 64.6305.

³ *Implementing Section 13(d) of the Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act (TRACED Act)*, EB Doclet No. 20-22, Report and Order, DA 21-1047 (EB 2021) (*2021 Consortium Selection Order*). See also *Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act*, Pub. L. No. 116-105, 133 Stat. 3274, Sec. 13(d) (2019) (TRACED Act).

customers of YouMail had flagged as illegal robocalls made without consent.⁴ The Traceback Consortium conducted tracebacks and determined that Primo Dialler originated the calls. The Traceback Consortium previously notified you of these calls and provided you access to supporting data identifying each call, as indicated in Attachment A. Further, the numerous tracebacks to Primo Dialler as an originator indicate that you are apparently knowingly or negligently originating illegal robocall traffic. Under our rules (and as explained further below), providers that originate illegal robocall traffic face serious consequences, including blocking by downstream providers of all of the originating provider's traffic. To avoid such blocking, you must take corrective actions immediately.

Actions You Should Take Now. Primo Dialler should take the following steps to resolve this matter:

1. Promptly investigate the transmissions identified in Attachment A.
2. If necessary, “effectively mitigate” the identified unlawful traffic by determining the source of the traffic and preventing that source from continuing to originate such traffic.
3. Implement effective safeguards to prevent customers from using your network as a platform to originate illegal calls.
4. Within 48 hours, inform the Commission and the Traceback Consortium of steps taken to mitigate the identified apparent illegal traffic. If you have evidence that the transmissions identified in Attachment A were legal calls, present that evidence to the Commission and the Traceback Consortium.
5. Within fourteen (14) days of the date of this letter (November 5, 2021), inform the Commission and the Traceback Consortium of the steps Primo Dialler is taking to prevent customers from using its network to transmit illegal robocalls (i.e. robocall mitigation measures).⁵ Failure to provide this information within 14 days shall be equivalent to having failed to put effective measures in place.⁶

Consequences for Failure to Comply. If after 48 hours of issuance of this letter Primo Dialler continues to route or transmit illegal robocall traffic from the entities involved in these campaigns, downstream U.S.-based voice service providers may begin blocking all calls from Primo Dialler after notifying the Commission of their decision and providing a brief summary of their basis for making such a determination.⁷ If Primo Dialler fails to take sufficient mitigating actions to prevent new and renewing

⁴ See 47 U.S.C. § 227(b); 47 CFR § 64.1200(a).

⁵ See *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-59, Third Report and Order, Order on Reconsideration, and Fourth Further Notice of Proposed Rulemaking, 35 FCC Rcd 7614, 7630, para. 43 (2020) (*Call Blocking Safe Harbor Report and Order*).

⁶ You are encouraged to reach out to the Commission before the deadline if you anticipate needing more time to execute this step.

⁷ In July 2020, the Commission adopted the *Call Blocking Safe Harbor Report and Order*, which authorized voice service providers to block illegal robocalls. *Call Blocking Safe Harbor Report and Order*, 35 FCC Rcd at 7628, para. 37; see also 47 CFR § 64.1200(k)(3)-(4). If the Commission identifies illegal traffic, based on information obtained through traceback such as that provided by the Traceback Consortium, the Commission may notify the voice service provider that it is transmitting identified probable illegal calls (or “bad traffic”) and, upon receipt of notification, the voice service provider should investigate promptly and take any steps that may be necessary to prevent the illegal caller from continuing to use the network to make such calls. Furthermore, if the notified voice service provider fails to take effective mitigation measures within 48 hours, any downstream voice service provider may block the calls from the notified provider. *Call Blocking Safe Harbor Report and Order*, 35 FCC Rcd at 7628-29, para. 39. Any voice service provider that decides to block traffic from the bad actor provider must notify the Commission of its decision and provide a brief summary of its basis for making such a determination prior to initiating blocking. *Id.* at 7630, para. 42; 47 CFR § 64.1200(k)(4). If the notified voice service provider fails to

customers from using its network to originate illegal robocalls, then downstream U.S.-based providers may block calls following notice to the Commission. **Failure to act within the deadlines authorizes U.S.-based voice service providers to block ALL call traffic transmitting from your network, permanently.**

Furthermore, if you fail to take the actions listed above, or knowingly or negligently continue to originate unlawful robocall campaigns after responding to this letter, we may find that your certification in the Robocall Mitigation Database is deficient and direct the removal of your certification from the database.⁸ Removal of a certification from the Robocall Mitigation Database requires all intermediate providers and terminating voice service providers to immediately cease accepting all of your calls.⁹ **Continued origination of illegal robocalls following this notice will be used as evidence of a defective certification, and we may initiate proceedings to remove your certification from the Robocall Mitigation Database.**¹⁰ You will have an opportunity to respond to that notice.¹¹

Please direct any inquiries or responses regarding this letter to Daniel Stepanicich, Attorney Advisor, Telecommunications Consumers Division, Enforcement Bureau, FCC, at Daniel.stepanicich@fcc.gov or (202) 418-7451; and cc: to Kristi Thompson, Division Chief, Telecommunications Consumers Division, Enforcement Bureau, FCC, at kristi.thompson@fcc.gov. A copy of this letter has been sent to the Traceback Consortium.

Sincerely,



Rosemary C. Harold
Chief
Enforcement Bureau
Federal Communications Commission

implement effective measures to prevent new and renewing customers from using its network to originate illegal calls, other downstream voice service providers may block the calls from the notified provider. *Call Blocking Safe Harbor Report and Order*, 35 FCC Rcd at 7630 para. 43; 47 CFR § 64.1200(k)(3)-(4). A voice service provider that decides to block traffic from the bad actor provider must notify the Commission of its decision and provide a brief summary of its basis for making such a determination prior to initiating blocking. *Id.* at 7630, para. 43; 47 CFR § 64.1200(k)(4).

⁸ See *Call Authentication Trust Anchor*, 36 FCC Rcd at 1905, para. 88; see also Robocall Mitigation Database, FCC, available at https://fccprod.servicenow.com/rmd?id=rmd_welcome (last visited Oct. 19, 2021).

⁹ 47 CFR § 64.6305(c). See *Call Authentication Trust Anchor*, 36 FCC Rcd at 1904, para. 86; *Wireline Competition Bureau Announces Opening of Robocall Mitigation Database and Provides Filing Instructions and Deadlines*, WC Docket No. 17-97, Public Notice, DA 21-454 (WCB Apr. 20, 2021).

¹⁰ See *Call Authentication Trust Anchor*, 36 FCC Rcd at 1902, 1905, paras. 81, 88.

¹¹ *Id.* at 1905, para. 88.

ATTACHMENT A

Customer	Date of ITG Notification	Date of Call	Caller ID	Called Number	Description	Violation
WAINS Telecom	Sep 24, 2021 20:49	Sep 22, 2021 19:05 UTC			Utility 30 Minute Disconnect Scam Calls	47 USC 227(b); 47 CFR 64.1200(a)
WAINS Telecom	Sep 24, 2021 18:47	Sep 23, 2021 23:48 UTC			Utility 30 Minute Disconnect Scam Calls	47 USC 227(b); 47 CFR 64.1200(a)
WAINS Telecom	Sep 24, 2021 18:57	Sep 23, 2021 22:25 UTC			Utility 30 Minute Disconnect Scam Calls	47 USC 227(b); 47 CFR 64.1200(a)
Wains Solutions	Oct 03, 2021 05:29	Sep 23, 2021 19:50 UTC			Utility 30 Minute Disconnect Scam Calls	47 USC 227(b); 47 CFR 64.1200(a)
WAINS Telecom	Sep 24, 2021 18:47	Sep 23, 2021 17:42 UTC			Utility 30 Minute Disconnect Scam Calls	47 USC 227(b); 47 CFR 64.1200(a)
WAINS Telecom	Sep 24, 2021 18:47	Sep 23, 2021 16:21 UTC			Utility 30 Minute Disconnect Scam Calls	47 USC 227(b); 47 CFR 64.1200(a)
SAGA CITY	Oct 05, 2021 19:29	Sep 29, 2021 16:57 UTC			Credit Card Rate Reduction Calls	47 USC 227(b); 47 CFR 64.1200(a)
SAGA CITY	Oct 01, 2021 19:36	Sep 29, 2021 15:43 UTC			Credit Card Rate Reduction Calls	47 USC 227(b); 47

						CFR 64.1200(a)
SAGA CITY	Oct 01, 2021 12:20	Sep 29, 2021 15:39 UTC			Credit Card Rate Reduction Calls	47 USC 227(b); 47 CFR 64.1200(a)
SAGA CITY	Oct 04, 2021 12:26	Sep 29, 2021 15:16 UTC			Credit Card Rate Reduction Calls	47 USC 227(b); 47 CFR 64.1200(a)
TWD Marketing LLC	Oct 07, 2021 13:35	Oct 05, 2021 17:52 UTC			Auto Warranty Calls	47 USC 227(b); 47 CFR 64.1200(a)
TWD Marketing LLC	Oct 06, 2021 18:29	Oct 05, 2021 17:25 UTC			Auto Warranty Calls	47 USC 227(b); 47 CFR 64.1200(a)
SFM / SFM Networks	Oct 07, 2021 14:50	Oct 05, 2021 21:04 UTC			Credit Card Rate Reduction Calls	47 USC 227(b); 47 CFR 64.1200(a)
SFM / SFM Networks	Oct 07, 2021 13:37	Oct 05, 2021 20:40 UTC			Credit Card Rate Reduction Calls	47 USC 227(b); 47 CFR 64.1200(a)
SFM / SFM Networks	Oct 07, 2021 13:46	Oct 05, 2021 19:59 UTC			Credit Card Rate Reduction Calls	47 USC 227(b); 47 CFR 64.1200(a)