



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

January 11, 2023

**VIA ELECTRONIC DELIVERY AND VIA CERTIFIED MAIL - RETURN RECEIPT
REQUESTED**

To: Brittany Reed
President
SIPphony LLC
33 N Parsell
Mesa, AZ 85203
brittany@sipphony.com

Re: Notice of Suspected Illegal Robocall Traffic

Dear Ms. Reed,

We have determined that SIPphony LLC (SIPphony) is apparently originating illegal robocall traffic on behalf of one or more of its clients. As explained more fully below, this letter provides notice of important legal obligations and steps you must take to address this apparent illegal traffic. You should investigate the identified traffic and take the steps described below, including blocking the traffic if necessary, and take steps to prevent your network from continuing to be a source of apparently illegal robocalls. Failure to comply with the steps outlined in this letter **may result in downstream voice service providers blocking all of SIPphony's traffic, permanently.**

Why You Are Receiving This Letter. You are receiving this letter because one or more investigations that the Federal Communications Commission (FCC or Commission) conducted, in conjunction with the USTelecom's Industry Traceback Group (Traceback Consortium), revealed that SIPphony apparently originated multiple illegal robocall campaigns from the sources listed in Attachment A. The Commission's Enforcement Bureau (Bureau) works closely with the Traceback Consortium, which is the registered industry consortium selected pursuant to the TRACED Act to conduct tracebacks.¹ Between October 11 and November 15, the Traceback Consortium investigated prerecorded voice message calls that customers of YouMail had flagged as robocalls made to wireless numbers without consent.² The Traceback Consortium conducted tracebacks and determined that SIPphony 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 SIPphony 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

¹ *Implementing Section 13(d) of the Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act (TRACED Act)*, EB Docket No. 20-22, Report and Order, DA 22-870, para. 40 (EB 2022). *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).

² *See* 47 U.S.C. § 227(b) (stating that it is unlawful to make using an automated telephone dialing system or a prerecorded voice to a telephone number assigned to a cellular telephone service without prior express consent, unless the call is made for emergency purposes); 47 CFR § 64.1200(a) (same).

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.

Applicable FCC Rules. This letter is based on FCC rules that apply to originating providers like SIPphony. **First**, under the safe harbor set forth in section 64.1200(k)(4), any provider may block all traffic from an originating provider that, when notified by the Commission, fails to effectively mitigate illegal traffic within 48 hours or fails to implement effective measures to prevent new or renewing customers from using its network to originate illegal calls. This letter provides notice under 64.1200(k)(4) and describes the mitigation steps you must take. **Second**, section 64.6305(e) permits providers to accept calls directly from an originating provider only if that originating provider's filing appears in the FCC's Robocall Mitigation Database. As explained below, if you continue to transmit illegal robocalls, the Bureau may initiate proceedings to remove your certification from the database, thereby requiring providers to cease accepting calls directly from SIPphony. **Third**, we note that sections 64.1200(n) and 64.6305 prescribe various additional obligations for mitigating and preventing illegal robocalls. We remind you that failure to comply with any of these obligations may result in additional enforcement action pursuant to the Communications Act and our rules.³

Mitigation Requirements Under Section 64.1200(k)(4). This letter serves as a notice that you must immediately take certain actions to address the identified apparently illegal traffic in order to avoid downstream providers blocking *all* of SIPphony's traffic.⁴ Specifically you should:

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.⁵
3. Implement effective safeguards to prevent customers from using your network as a platform to originate illegal calls.⁶
4. Within 48 hours of the time stamp on the e-mail transmission of this letter, inform the Commission and the Traceback Consortium of steps taken to mitigate the identified apparent illegal traffic.⁷ 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 (January 25, 2023), inform the Commission and the Traceback Consortium of the steps SIPphony is taking to prevent new or renewing customers from using its network to originate illegal robocalls.⁸ You must also include a declaration attesting to the truthfulness and accuracy of your response under section 1.17 of the Commission's rules.⁹ Failure to provide this

³ 47 U.S.C. § 503; 47 CFR §§ 64.1200(n), 64.6305.

⁴ 47 CFR § 64.1200(k)(4).

⁵ *Id.*; 47 CFR § 64.1200(f)(18).

⁶ 47 CFR § 64.1200(k)(4).

⁷ *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. 42 (2020) (*Call Blocking Safe Harbor Report and Order*).

⁸ *See id.* at 7630, para. 43.

⁹ 47 CFR § 1.17. *See also* 47 CFR § 1.16 (describing the format such declarations).

information within 14 days shall be equivalent to having failed to put effective measures in place.¹⁰

If after 48 hours SIPphony continues to originate unlawful robocall traffic from the entities involved in these campaigns, downstream U.S.-based voice service providers may begin blocking all calls from SIPphony after notifying the Commission of their decision and providing a brief summary of their basis for making such a determination.¹¹ Furthermore, if after 14 days, SIPphony has not taken sufficient actions to prevent its network from continuing to be used to transmit illegal robocalls, then downstream U.S.-based providers may block SIPphony's calls following notice to the Commission.¹² **U.S.-based voice service providers may block ALL call traffic transmitting from your network if you fail to act within either deadline.**

Additional Consequences Under 64.6305(e) and Other Robocalling Rules. If you fail to take the actions listed above, or knowingly or negligently continue to originate illegal robocalls after responding to this letter, you may be subject to additional consequences. **Continued transmission of illegal robocalls following this notice may be used as evidence that your certification in the Robocall Mitigation Database is deficient, and the Bureau may initiate proceedings to remove your certification from the database.**¹³ If your certification is removed from the Robocall Mitigation Database, all intermediate providers and terminating voice service providers must immediately cease accepting all of your calls.¹⁴ If the Bureau initiates a proceeding to remove your certification from the Robocall Mitigation Database, you will have an opportunity to respond.¹⁵ Finally, SIPphony may also be subject to additional enforcement penalties, including monetary penalties, for failing to take steps to address illegal robocall traffic on its network as required by the Commission's rules.¹⁶

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,

¹⁰ You are encouraged to reach out to the Commission before the deadline if you anticipate needing more time to execute this step.

¹¹ 47 CFR § 64.1200(k)(4); *Call Blocking Safe Harbor Report and Order*, 35 FCC Rcd at 7628-30, paras. 39, 42.

¹² 47 CFR § 64.1200(k)(4); *Call Blocking Safe Harbor Report and Order*, 35 FCC Rcd at 7628-30, paras. 39, 43.

¹³ See *Call Authentication Trust Anchor*, WC Docket No. 17-97, Second Report and Order, 36 FCC Rcd 1859, 1902-03, para. 83 (2020) (*Second Caller ID Authentication Report and Order*); see also 47 CFR § 64.6305(c) (prescribing Robocall Mitigation Database certification requirements for originating providers).

¹⁴ 47 CFR § 64.6305(e). See *Second Caller ID Authentication Report and Order*, 36 FCC Rcd at 1904, para. 86.

¹⁵ *Second Caller ID Authentication Report and Order*, 36 FCC Rcd at 1903, para. 83.

¹⁶ See 47 CFR § 64.1200(n)(1)-(3) (prescribing steps voice service providers must take to address and prevent illegal robocalls); *Second Caller ID Authentication Report and Order*, 36 FCC Rcd at 1902, para. 83. See also 47 U.S.C. § 503 (providing that a forfeiture penalty may be imposed on any person who willfully or repeatedly violates the Commission's rules).

Telecommunications Consumers Division, Enforcement Bureau, FCC, at kristi.thompson@fcc.gov. A copy of this letter has been sent to the Traceback Consortium.

Sincerely,

Loyaan A. Egal
Chief
Enforcement Bureau
Federal Communications Commission

ATTACHMENT A

Customer	Date of Call	Date of ITG Notification	Caller ID	Called Number	Description	Violation
Direct Connect	Nov 14, 2022 19:36 UTC	Nov 15, 2022 13:51 UTC			StudentLoan-Forgiveness-P2	47 USC 227(b); 47 CFR 64.1200(a)
Direct Connect	Nov 14, 2022 19:37 UTC	Nov 15, 2022 13:47 UTC			StudentLoan-Forgiveness-P2	47 USC 227(b); 47 CFR 64.1200(a)
Direct Connect	Nov 14, 2022 19:38 UTC	Nov 15, 2022 13:42 UTC			StudentLoan-Forgiveness-P2	47 USC 227(b); 47 CFR 64.1200(a)
Direct Connect	Nov 14, 2022 19:42 UTC	Nov 15, 2022 13:57 UTC			StudentLoan-Forgiveness-P2	47 USC 227(b); 47 CFR 64.1200(a)
Direct Connect	Nov 14, 2022 19:45 UTC	Nov 15, 2022 13:54 UTC			StudentLoan-Forgiveness-P2	47 USC 227(b); 47 CFR 64.1200(a)
Direct Connect	Nov 14, 2022 19:39 UTC	Nov 15, 2022 14:48 UTC			StudentLoan-Forgiveness-P2	47 USC 227(b); 47 CFR 64.1200(a)
Direct Connect	Nov 14, 2022 19:55 UTC	Nov 15, 2022 18:23 UTC			StudentLoan-Forgiveness-P2	47 USC 227(b); 47 CFR 64.1200(a)
Direct Connect	Nov 14, 2022 19:57 UTC	Nov 15, 2022 19:13 UTC			StudentLoan-Forgiveness-P2	47 USC 227(b); 47

						CFR 64.1200(a)
Direct Connect	Nov 14, 2022 19:57 UTC	Nov 15, 2022 16:38 UTC			StudentLoan- Forgiveness-P2	47 USC 227(b); 47 CFR 64.1200(a)
Direct Connect	Nov 14, 2022 21:40 UTC	Nov 15, 2022 21:18 UTC			StudentLoan- Forgiveness-P2	47 USC 227(b); 47 CFR 64.1200(a)
Direct Connect	Nov 14, 2022 19:37 UTC	Nov 15, 2022 19:46 UTC			StudentLoan- Forgiveness-P2	47 USC 227(b); 47 CFR 64.1200(a)
Direct Connect	Nov 14, 2022 19:47 UTC	Nov 15, 2022 19:50 UTC			StudentLoan- Forgiveness-P2	47 USC 227(b); 47 CFR 64.1200(a)
Direct Connect	Nov 14, 2022 19:50 UTC	Nov 15, 2022 18:40 UTC			StudentLoan- Forgiveness-P2	47 USC 227(b); 47 CFR 64.1200(a)
Direct Connect	Nov 14, 2022 21:44 UTC	Nov 15, 2022 18:53 UTC			StudentLoan- Forgiveness-P2	47 USC 227(b); 47 CFR 64.1200(a)
Direct Connect	Nov 14, 2022 22:01 UTC	Nov 15, 2022 19:53 UTC			StudentLoan- Forgiveness-P2	47 USC 227(b); 47 CFR 64.1200(a)
Manifest One Marketing	Oct 11, 2022 18:36 UTC	Oct 12, 2022 13:22 UTC			StudentLoan- Payments-P1	Manifest One Marketing
Manifest One Marketing	Oct 11, 2022 19:54 UTC	Oct 12, 2022 12:36 UTC			StudentLoan- Payments-P1	Manifest One Marketing

Manifest One Marketing	Oct 11, 2022 19:31 UTC	Oct 12, 2022 12:43 UTC			StudentLoan- Payments-P1	Manifest One Marketing
Mobee Apps, LLC	Oct 28, 2022 18:17 UTC	Oct 31, 2022 13:17 UTC			StudentLoan-\$10,000- Removal	Mobee Apps, LLC