

**STATEMENT OF
COMMISSIONER JESSICA ROSENWORCEL**

Re: *Auction of Toll Free Numbers in the 833 Code; Comment Sought on Competitive Bidding Procedures*, AU Docket No. 19-101, WC Docket No. 17-192, CC Docket No. 95-155.

With this Public Notice, the Federal Communications Commission takes another step in the direction of modernizing our toll free number system. This is the right thing to do. For too long, distribution of toll free numbers has meant a command and control system, through a first-come, first-served approach. As part of this approach, the agency has prohibited a secondary market in toll free numbers. But this method has limitations. If you want to see them, do a simple search online. There is a vibrant marketplace out there where anyone can purchase a toll free number from entities that openly flout our rules.

So we are going to try another way. With the 833 toll free code we are doing a test. We are going to experiment and do things differently. We are going to hold an auction. This is a sandbox effort and it is good news. I am all for it.

Now the not-so-good news. When it comes to toll free numbers, this agency has some housekeeping to do. Late last year, companies who deal in toll free numbers came to the FCC pleading for guidance about the protections that pertain to geolocation call data—among the most sensitive consumer data. They ask for this agency to bless their use of third-party location aggregators so they can know with precision just when and where a wireless caller dials a toll free number.

This request is styled as an emergency petition. But I think the greater emergency is that this agency has been silent on everything involving third-party location aggregators and the black market that exists for the wireless surveillance of each and every one of us with a mobile device. Earlier this year a reporter was able to identify that for a few hundred dollars a range of shady middlemen using these aggregators can tell you where any wireless phone is being used within a few hundred meters. This is unacceptable. This is an issue of personal and national security and this agency—in the toll free context and everywhere else—owes it to the American public to explain just what is going on when it comes to the privacy of our wireless devices.