

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Protecting Consumers from Unauthorized Carrier Changes and Related Unauthorized Charges)	CG Docket No. 17-169
)	

**REPLY COMMENTS OF THE ALLIANCE
FOR TELECOMMUNICATIONS INDUSTRY SOLUTIONS**

The Alliance for Telecommunications Industry Solutions (ATIS), on behalf of its Ordering and Billing Forum (OBF), hereby submits these reply comments in response to the *Notice of Proposed Rulemaking (NPRM)*, released July 14, 2017, in the above-referenced docket. In its reply comments, ATIS addresses the Commission’s proposal to institute a default freeze on changes to a consumer’s preferred interexchange carrier (PIC). As explained in more detail below, ATIS opposes the Commission’s proposal to eliminate the opt-in requirement for PIC freezes.

I. BACKGROUND

ATIS is a global standards development and technical planning organization that develops and promotes worldwide technical and operations standards for the technology information, entertainment, and communications industries. ATIS’ nearly 200 member companies are currently working to address 5G, cybersecurity, the All-IP transition, network functions virtualization, smart cities, IoT, emergency services, the network’s evolution to content-optimized networks, quality of service, billing support, operations, unmanned aerial

vehicles, and much more. ATIS is accredited by the American National Standards Institute (ANSI) and is the North American Organizational Partner for the 3rd Generation Partnership Project (3GPP), a founding Partner of the oneM2M global initiative, a member and contributor to the International Telecommunication Union (ITU), as well as a member of the Inter-American Telecommunication Commission (CITEL).

ATIS OBF creates the collaborative standards and solutions that ensure accurate billing for the industry's core services as well as emerging innovations. OBF is a key resource for resolving key issues and creating ordering, billing, provisioning and exchange of information solutions about access services as well as other connectivity between telecommunications customers and providers.

II. COMMENTS

In the *NPRM*, the Commission notes that its current rules allow consumers to “freeze” their choice of wireline providers if their local exchange carrier offers that ability and if the consumer affirmatively authorizes this freeze.¹ The Commission seeks to modify its rules to make freezes the default so that consumers are automatically afforded this protection against slamming without requiring them to affirmatively opt-in.² ATIS opposes this proposed modification to the PIC freeze rules, noting that the burden associated with this rule change would substantially outweigh the benefits.

ATIS believes that the burden associated with this proposed rule change would be significant, both to consumers and to service providers. As NCTA – The Internet & Television Association (NCTA) notes in its comments, the proposed default PIC freeze rule would

¹ *NPRM* at ¶14 (citing 47 CFR § 64.1190).

² *Id.* at ¶14.

needlessly burden consumers, who would be required to contact their existing carriers to lift a freeze that they did not request and may not want, and who would have to wait for their original carrier to contact them to verify the requested provider change.³ The proposed rule would require carriers to establish and support new processes to respond to additional consumer requests related to provider changes. Even with new processes, the new rule would likely introduce additional delays into the porting process by greatly increasing the situations in which carriers must verify customer change requests. These delays would not only impact consumers but may also make it difficult, if not impossible, for carriers to meet the existing one-day simple port interval.⁴

ATIS also believes that there is no need to modify the existing PIC freeze rules given the downward trend in incidences of slamming and cramming. As AT&T Services, Inc. (AT&T) notes in its comments, incidences of slamming and cramming are on the decline given aggressive Commission enforcement of its rules and fundamental shifts in the marketplace, which are eliminating slamming and cramming opportunities.⁵ Verizon agrees, noting customers have moved away from obtaining long-distance service separately from local service to all-distance services and service bundles; as standalone wireline long-distance offerings are likely to continue to decrease, so too will the need for broad new slamming and cramming rules.⁶ As USTelecom Association (USTelecom) notes, “[w]ithout separate long-distance service, there is no opportunity for a consumer to have their long-distance service switched, thus no slam can occur and consumers are protected.”⁷

³ Comments of NCTA at pp. 2-3.

⁴ 47 C.F.R. 52.35 (a).

⁵ Comments of AT&T Services, Inc. at p.2.

⁶ Comments of Verizon at p. 2.

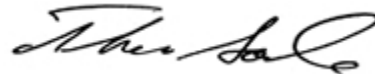
⁷ Comments of USTelecom at p. 2.

To the extent that the Commission believes that additional protections against slamming and cramming are warranted, it should consider enhancing enforcement of existing rules against bad actors rather than penalizing the entire industry by creating new and unnecessary rules.

III. CONCLUSION

ATIS appreciates the opportunity to respond to the comments filed on the *NPRM* and urges the Commission to consider the recommendations above.

Respectfully submitted,



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