



1100 G STREET, NW, SUITE 800  
WASHINGTON, DC 20005

March 20, 2026

*VIA ECFS*

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
45 L Street NE  
Washington, DC 20554

**Re:** *Reducing Barriers to Network Improvements and Service Changes, WC Docket No. 25-209; Accelerating Network Modernization, WC Docket No. 25-208; Modernizing Suspension and Debarment Rules, GN Docket No. 19-309; Improving Customer Service and Protecting Consumers through Onshoring, CG Docket No. 26-52; Advanced Methods to Target and Eliminate Unlawful Robocalls, CG Docket No. 17-59; Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991, CG Docket No. 02-278; Combatting Illegal Robocalls Through FCC Numbering Policies, WC Docket No. 26-49; Implementation of TRACED Act Section 6(a)— Knowledge of Customers by Entities with Access to Numbering Resources, WC Docket No. 20-67; Numbering Policies for Modern Communications, WC Docket No. 13-97; Telephone Number Requirements for IP-Enabled Service Providers, WC Docket No. 07-243; Build America: Eliminating Barriers to Wireline Deployments, WC Docket No. 25-253*

Dear Ms. Dortch,

On March 18, 2025, Staci Pies, Taylor Abshire and the undersigned counsel of INCOMPAS conducted separate virtual meetings with (1) Edyael Casaperalta, Legal Advisor, Jonathan Uriarte, Strategic Communications and Policy Advisor, and Harsha Mudaliar, Policy Advisor and External Affairs Liaison, to Commissioner Anna Gomez, (2) Marcus Maher, Senior Legal Advisor, and Will Holloway, Legal Advisor, to Commissioner Olivia Trusty, and (3) Danielle Thumann, Senior Counsel, to Chairman Brendan Carr, to discuss the public drafts of the items in the above-referenced proceedings which are scheduled for a vote at the Commission's March Open Meeting on Thursday, March 26, 2026.

### **Modernizing Networks and Communications Services**

In this proceeding, INCOMPAS has emphasized that streamlining the agency's TDM discontinuance rules must include explicit protections for interconnection rights and public safety communications, particularly 911. We asserted that the draft *Report and Order*

reflects a demonstrated awareness of the continued importance of TDM circuits to 911 and interconnection services during the transition to IP-based networks and commended the Commission for providing clarity about the scope of standard discontinuance obligations, retaining the heightened requirements of §§ 63.500 and 63.501 for discontinuances involving interconnection trunks and traffic exchange arrangements, and creating pre-filing coordination obligations for carriers planning trunk-side and traffic exchange discontinuance applications.<sup>1</sup> Furthermore, INCOMPAS appreciates the Commission’s decision to forbear from applying the discontinuance requirements of Section 214 and Section 63.71 of the Commission’s rules to resellers whose wholesale provider is itself undergoing a technology transition discontinuance. This targeted forbearance is pragmatic and sensible: requiring a reseller to independently comply with Section 214 and Section 63.71 when its wholesale provider has already initiated the required discontinuance process would impose duplicative regulatory burden without corresponding public benefit.

INCOMPAS also identified three discrete and targeted areas where the Commission could take further action to protect the balance the *Draft Network Modernization Order* seeks to achieve. First, INCOMPAS recommended that interconnecting carriers be added to the *Draft Network Modernization Order’s* 90-day pre-coordination requirement. As currently drafted, the 90-day pre-filing coordination requirement does not cover all of the parties whose 911 and voice calling services may be disrupted by a trunk-side discontinuance. Under current rules, the covered 911 service providers that must be included in the pre-filing coordination process are defined as those providing connections directly to public safety answering points (“PSAPs”). This definition omits a critical category of carrier: interconnecting LECs, which deliver both 911 and voice calls to incumbent LECs using the very trunk-side services that Sections 63.500 and 63.501 are designed to protect. These carriers depend on TDM trunk-side services to exchange traffic with ILECs under Section 251 interconnection agreements. Critically, trunk-side TDM services are typically provisioned over fiber, meaning interconnecting LECs will not receive a copper retirement notice and have no independent basis to learn that a discontinuance is being planned. As a consequence of this gap, an interconnecting LEC may have no notice of a planned trunk discontinuance until the 90-day coordination window has already passed. If the trunk being retired carries both 911 traffic and ordinary voice calls, both services are at risk of disruption without the coordinated transition the Commission’s rules are designed to ensure.<sup>2</sup>

Second, INCOMPAS suggested that standard discontinuance applications include a certification from carriers that the planned discontinuance does not involve a service supporting interconnection trunks, including 911 trunks, or the exchange of traffic with another carrier. The

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<sup>1</sup> See *Reducing Barriers to Network Improvements and Service Changes, Accelerating Network Modernization*, WC Docket Nos. 25-209, 25-208, Draft Report and Order, FCC-CIRC 2603-03 (rel. March 5, 2026) (“*Draft Network Modernization Order*”).

<sup>2</sup> INCOMPAS supports amendments to the rule language and the explanatory language in paragraphs 63 and 66 proposed by Bandwidth to add interconnecting local exchange carriers to the list of entities with which a carrier must coordinate prior to filing a trunk-side or traffic exchange discontinuance application. See *Ex Parte* Letter of Tamar E. Finn, Counsel to Bandwidth Inc. and Bandwidth.com CLEC, LLC, to Marlene H. Dortch, WC Docket Nos. 25-208, 25-209, PS Docket No. 21-479, 2 (Mar. 18, 2026) (“*Bandwidth Ex Parte Letter*”).

certification should further require that carriers seeking streamlined discontinuance to aver that these services will not be discontinued prior to filing an application under §§ 63.500 or 63.501. INCOMPAS members remain concerned that a carrier may file a standard discontinuance notice without ever determining whether the circuit it proposes to retire carries 911 traffic or serves as an interconnection trunk to another carrier's network. Incumbent carriers frequently lack visibility into how wholesale customers use circuits downstream. Competitive carriers and 911 authorities may have designated circuits for 911 routing, but this information may not be surfaced to the incumbent unless the incumbent specifically inquires. Under the current draft, nothing compels that inquiry.

We therefore proposed that each standard discontinuance filing include a narrowly scoped certification that will create legal consequences only for carriers that have failed to conduct the assessment the Commission's rules already contemplate.<sup>3</sup> The certification shifts the cost of diligence to the party best positioned to bear it—the retiring carrier, which has direct knowledge of its own network infrastructure. In the alternative, if the Commission is not prepared to add a formal certification, INCOMPAS requests as an alternative that the Commission strengthen the explanatory language in paragraph 66 to make explicit what diligence carriers must perform before invoking the standard discontinuance process.

Finally, INCOMPAS requested that the Commission either retain the full 31-day objection period for discontinuance applications or, at a minimum, extend the current 15-day window to a more workable period. The current 15-day objection window is insufficient for interconnecting local exchange carriers to evaluate whether a planned discontinuance poses a threat to public safety communications and 911. This concern is particularly acute in the context of network modernization. If interconnecting LECs and 911 service providers are unable to identify and object to discontinuances that threaten 911 connectivity within the objection window, the Commission's substantive protections for public safety communications will be effectively unenforceable. Extending the objection window to the full 31 days—or at minimum to a period that is workable in a high-volume filing environment—is a low-cost modification that would significantly strengthen the enforceability of the Order's public safety safeguards.

INCOMPAS also takes this opportunity to respond to USTelecom's suggested revisions to pre-filing coordination for applications filed under §§ 63.500 and 63.501.<sup>4</sup> INCOMPAS agrees with USTelecom's addition of "a certification that the carrier will continue to coordinate in good faith with those 911 Authorities and covered 911 service providers," commends USTelecom for suggesting that addition, and urges the Commission to include interconnecting carriers in this certification, too. INCOMPAS strongly disagrees with the suggestion to shorten the coordination period from 90 to 30 days. Providing merely 60 days' prior notice of discontinuance of a TDM service carrying 911 or voice traffic is NEVER sufficient. Inteliquent spent more than two years replacing nearly 1,000 DS3 services that were discontinued by XO,

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<sup>3</sup> INCOMPAS urges the Commission to adopt the specific language that Bandwidth recently proposed. *See* Bandwidth *Ex Parte* Letter at 2.

<sup>4</sup> *See Ex Parte* Letter of Nirali Patel and Diana Eisner, USTelecom – The Broadband Association, to Marlene H. Dortch, WC Docket Nos. 25-208, 25-209, 8 (Mar. 19, 2026) ("USTelecom *Ex Parte* Letter").

and that project is still not complete. The replacement of TDM services supporting interconnection and 911 requires extensive carrier management and cooperation between multiple parties. According to Inteliquent, the orders need to be sequential, first a trunk disconnect, then a DS1 facility disconnect, then a multiplexing disconnect, followed by a DS3 vendor disconnect. And none of this can begin until the replacement trunk group and facility orders have been issued and completed.

The discontinuance of TDM circuits is already undermining the resiliency and redundancy of the 911 network. In addition to the Bandwidth and Intrado examples already in the record, Inteliquent has lost diversity to selective routers due to Lumen's decommissioning of DS1 services. Without diverse circuits, the chance of 911 call failures increases. Streamlining discontinuance rules without specific protections for interconnecting carriers using TDM services to deliver 911 traffic, and shortening the period of time for carriers to coordinate turn-up of substitute services, would undermine public safety.

### **Modernizing Suspension and Debarment Rules**

INCOMPAS reaffirmed its support for the Commission's adoption of the Office of Management and Budget ("OMB") guidance on government-wide suspension and debarment practices. We noted that aligning the FCC's procedures with OMB's framework in the *Draft Report and Order, Direct Final Rule, and Further Notice of Proposed Rulemaking* is a key step toward ensuring consistency, transparency, and fairness across federal agencies and signaled our willingness to engage in continued collaboration to ensure that the agency's processes promote due process, administrative clarity, and efficient resolution of disputes.<sup>5</sup>

INCOMPAS also raised concerns that subjects of a debarment proceeding currently lack a clearly defined point at which an action becomes final, particularly when a petition for reconsideration is pending, and the FCC has yet to act. Without a defined timeframe for FCC action, this ambiguity creates due process risks and leaves petitioners without a reliable pathway to seek judicial review. To address this gap, INCOMPAS suggested that the Commission implement a 90-day constructive denial rule, where a petition for reconsideration would be considered denied if the Commission does not act within 90 days. Establishing such a rule would: protect petitioners' due process rights by preventing indefinite procedural uncertainty; protect the Commission from unnecessary lawsuits alleging unreasonable delays; and establish a consistent, fair, and predictable procedural standard in suspension and debarment matters. Although INCOMPAS is unaware of the FCC implementing constructive denial provisions in other substantive contexts, we emphasized that establishing such provisions here would strengthen the procedural integrity of the Commission's debarment system and support the FCC's adoption of OMB's government-wide guidance.

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<sup>5</sup> See *Modernizing Suspension and Debarment Rules*, GN Docket No. 19-309, Draft Report and Order, Direct Final Rule, and Further Notice of Proposed Rulemaking, FCC-CIRC 2603-05 (rel. Mar. 5, 2026).

## Improving Customer Service and Consumer Protection

INCOMPAS represents competitive communications providers that operate call centers as a part of a dynamic marketplace where customer experience is a key differentiator. Our members consistently compete by innovating and tailoring their call center customer service offerings to meet evolving consumer expectations, and have therefore expressed concerns that certain aspects of the *Draft Notice of Proposed Rulemaking* could inadvertently limit the flexibility providers need to differentiate themselves in the marketplace.<sup>6</sup> Overly prescriptive requirements risk constraining call center innovation and reducing the ability of companies to deploy new technologies and service models that enhance the customer experience.

INCOMPAS suggested that the *Draft NPRM* would benefit from a more fully developed record on whether, and to what extent, the competitive marketplace is already addressing the concerns identified by the Commission. In recent years, the call center marketplace has undergone significant transformation, driven in large part by advances in artificial intelligence (“AI”) and related technologies. INCOMPAS members are actively deploying these tools in its call centers to improve responsiveness, personalize interactions, and enhance overall customer satisfaction. Given these developments, INCOMPAS encouraged the Commission to consider whether additional inquiry is warranted before adopting prescriptive requirements. Specifically, the Commission should convert portions of the item, such as the “Safeguarding Consumer Choice” and “Ensuring Compliance” sections, into a *Notice of Inquiry* to allow stakeholders to provide detailed information on existing market-driven solutions and future innovations.<sup>7</sup> Other stakeholders have similarly urged the Commission to take a more measured approach, with the VON Coalition, in its ex parte filing, recommending the Commission convert this item into a Notice of Inquiry, explaining “[t]he Commission and the public interest would be better served by collecting information to these questions in a Notice of Inquiry” (filed March 18, 2026).

In the alternative, INCOMPAS respectfully urges the Commission to incorporate additional questions into the record that would allow stakeholders to demonstrate how the marketplace is already addressing these issues, such as:

- How are companies currently using emerging technologies, including artificial intelligence, in its call centers to address customer service challenges?
- How is AI reshaping competitive dynamics in the provision of call center customer service?
- To what extent has call center customer experience become a key differentiator among providers?

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<sup>6</sup> *Improving Customer Service and Protecting Consumers through Onshoring, et al.*, CG Docket Nos. 26-52, 17-59 and 02-278, Notice of Proposed Rulemaking, FCC-CIRC 2603-01 (rel. March 5, 2026) (“*Draft NPRM*”).

<sup>7</sup> Other stakeholders have similarly urged the Commission to take this approach. *See* Comments of the Voice on the Net Coalition, CG Docket Nos. 26-52, 17-59, 02-278, 1 (filed Mar. 18, 2026) (recommending the Commission convert this item, explaining “[t]he Commission and the public interest would be better served by collecting information to these questions in a Notice of Inquiry”).

- What costs would companies incur in complying with the proposed requirements, and are there more effective or less burdensome approaches to achieving the Commission’s goals?

Additionally, to complement the *Draft NPRM’s* requests for comment on feasibility, costs, and consumer experience, the record would benefit from targeted inquiry into whether onshoring call centers, in and of itself, leads to improved outcomes, and what data and methods should guide that assessment. Accordingly, INCOMPAS respectfully suggests seeking focused comment on the following:

- **Domestic Labor Market Feasibility.** What current, regionally specific data demonstrate the availability (or shortage) of qualified U.S.-based call center workers—by role (Tier 1, escalations), language capability (e.g., Spanish), and required technical skills—and what lead times are realistic for recruiting and training at scale?
- **Service Quality: Causation vs. Correlation.** What evidence isolates agent location (onshore vs. offshore) as the causal factor for improved customer outcomes—controlling for training intensity, staffing ratios, tenure, technology platforms (e.g., interactive voice response, customer relationship management, and AI-assistance), and call-routing practices, and what quality metrics should the Commission use to measure outcomes consistently across models? This request is intended to help the Commission tie any action to validated drivers of consumer benefit using standardized metrics (e.g., first-contact resolution, repeat-call rate, average handle time, customer satisfaction score/net promoter score, complaint and escalation rates).

These proposed refinements are consistent with the NPRM’s objective to build a robust, evidence-based record on implementation, costs, and measurable consumer benefits. By specifying the datasets and methods for labor-supply analysis, total compensation benchmarking, and causal evaluation of service quality, the Commission can align any final requirements with current market conditions, realistic timelines, and objective outcome metrics, complementing the item’s proposals on English proficiency, disclosure/transfer rights, and sensitive-data handling and its broader solicitation of cost and feasibility input. A clearer understanding of these issues will help ensure any regulatory action is grounded in evidence and effectively targets demonstrable harms.

### **Combatting Illegal Robocalls Through FCC Numbering Policies**

During the meeting, INCOMPAS explained our members’ concern that the Commission’s proposed definition of the phrase “resellers of telephone numbers” as used in the draft *NPRM* in the *Combatting Illegal Robocalls Through FCC Numbering Policies* proceeding<sup>8</sup> could be interpreted to encompass service providers and conduct that the Commission does not intend it to encompass. In paragraph 16 of that draft *NPRM*, the Commission states that, “[w]e propose to define resellers of telephone numbers as all LECs, CMRS providers, and

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<sup>8</sup> See *Combatting Illegal Robocalls Through FCC Numbering Policies, et al*, Draft Notice of Proposed Rulemaking, WC Docket Nos. 26-49, 20-67, 13-97, & 07-243 (Mar. 5, 2026).

interconnected VoIP providers reselling or seeking to resell services that include the provisioning of geographic numbering resources other than pseudo ANI.” INCOMPAS sought clarification on whether this definition is only intended to encompass entities reselling or seeking to resell geographic numbering resources (“telephone numbers”) on a *standalone basis* and that it is not intended to encompass entities that resell *services* for which a wholesaler has assigned telephone numbers. Two contrasting scenarios help illustrate this distinction:

1. Scenario One: Company A acquires telephone numbers directly from the North American Numbering Plan Administrator (“NANPA”); Company B then purchases those numbers on a standalone basis (i.e., Company A has not assigned the telephone numbers to end user customers that subscribe to a Company A service) at wholesale from Company A; Company B then resells those telephone numbers on a standalone basis.
2. Scenario Two: Company A acquires telephone numbers directly from the NANPA; Company A assigns those numbers to end user customers that subscribe to its retail telephone service; Company C then purchases that combined service (i.e., the telephone service for which telephone numbers have been assigned to end user subscribers by Company A) at wholesale from Company A; Company C then resells that same combined service.

It is INCOMPAS’s understanding that the phrase “resellers of telephone numbers” as used in the draft NPRM is intended to encompass Company B’s resale of telephone numbers on a standalone basis as described in Scenario One but not Company C’s resale of the combined telephone numbers and telephone service (i.e., the telephone service for which telephone numbers have been assigned by Company A) in Scenario Two. If that understanding is correct, INCOMPAS respectfully requests that the Commission modify paragraph 16 in the draft *NPRM* to make that distinction explicit.

## **Eliminating Barriers to Wireline Deployment**

INCOMPAS also reiterated that its members are making the substantial investments in infrastructure and technologies to deliver competitive communications services to customers in urban, suburban, and rural communities across the country. We noted that the Commission’s *Notice of Inquiry* into state and local requirements that constrain the deployment of modern, high-speed wireline infrastructure has resulted in a consensus view among industry stakeholders, including rural cooperatives, urban fiber builders, incumbent carriers, new entrants, cable operators, and competitive providers, that state and local permitting practices are preventing Americans from receiving the high-speed connectivity that these companies and Congress has invested billions of dollars to deliver.<sup>9</sup> The barriers described in the record by INCOMPAS members and others represent systemic problems that require Commission intervention. We therefore urged the Commission to issue a *Notice of Proposed Rulemaking* in the proceeding that proposes specific shot clocks, fee safe harbors, and antidiscrimination rules, and, as necessary, declaratory rulings in cases that present clear violations of the Commission’s permitting rules under section 253.

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<sup>9</sup> See *Build America: Eliminating Barriers to Wireline Deployments*, WC Docket No. 25-253, Notice of Inquiry, FCC 25-66 (rel. Sept. 30, 2025).

If you have any questions about this filing, please feel free to contact me.

Respectfully submitted,

*/s/ Christopher L. Shipley*

Christopher L. Shipley  
Executive Director of Public Policy  
(202) 872-5746  
cshipley@incompas.org

cc

Danielle Thumann  
Edyael Casaperalta  
Jonathan Uriarte  
Harsha Mudaliar  
Marcus Maher  
Will Holloway