

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

In the Matter of)	
)	
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
)	

REPLY COMMENTS OF INCOMPAS

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INCOMPAS, by its undersigned counsel, hereby submits these comments in response to the Federal Communication Commission’s (“Commission”) *Notice of Proposed Rulemaking* (“*NPRM*” or “*Notice*”) examining telephone numbering policies and how assigned numbers are used by service providers as a means by which to address the ongoing problem of illegal robocalls.¹

I. INTRODUCTION AND SUMMARY

INCOMPAS and the competitive industry remain committed to working with the Commission to eliminate illegal robocalls and protect consumers from the harm they cause. The record developed in this proceeding reveals a clear consensus: the numbering proposals under

¹ See *Combatting Illegal Robocalls Through FCC Numbering Policies, Implementation of TRACED Act Section 6(a)—Knowledge of Customers by Entities with Access to Numbering Resources, Numbering Policies for Modern Communications, Telephone Number Requirements for IP-Enabled Service Providers*, WC Docket Nos. 26-49, 20-67, 13-97, 07-243, Notice of Proposed Rulemaking, FCC 26-17 (rel. Mar. 27, 2026) (“*NPRM*” or “*Notice*”).

consideration will not adequately address the concerns the Commission has identified, and in several respects would undermine competition and consumer welfare without reducing illegal robocalling. As explained below, the overwhelming weight of the record confirms that the Commission should reject both a single-level resale limit and new number cycling restrictions. Commenters across the industry agree that a single-level resale limit would disrupt procompetitive wholesale arrangements serving niche and enterprise markets, impose significant customer churn and transaction costs, and exceed the Commission's statutory authority, all while doing little to curb illegal robocalling because STIR/SHAKEN attestation and traceback already identify the originating party regardless of how many resale levels a number has passed through. Only a small handful of commenters support the proposal, and none identify a countervailing benefit sufficient to outweigh these costs.

The record similarly demonstrates that number cycling restrictions would not address the root causes of customer confusion related to call labeling. The actual driver of the harms the *Notice* identifies is not that numbers are reassigned or resold, but that terminating providers and their analytics vendors are declining to rely on the authenticated Rich Call Data (“RCD”) that STIR/SHAKEN already makes available to them, opting instead for proprietary branded-calling and number-registration products that operate outside the Commission's authentication framework and impose costs on legitimate callers. This dynamic creates the very cycle of mislabeling, number cycling, and number exhaust that the *Notice* seeks to prevent. Rather than restricting numbering resources at origination, the Commission should require terminating providers and their analytics partners to use the authenticated information the industry has already developed and that the agency has already mandated as well as requiring greater transparency into how labeling and mislabeling decisions are made. Addressing the problem at

its source, at termination, will do more to protect legitimate callers and reduce illegal robocalling than any restriction on how numbering resources are resold or cycled at origination.

II. THE RECORD DEMONSTRATES THAT THE COMMISSION SHOULD NOT ADOPT A SINGLE-LEVEL RESALE LIMIT

As INCOMPAS explained in its comments, the Commission should not adopt a single-level resale limit because such a rule would harm competition and consumer welfare and likely accelerate number exhaustion while yielding no meaningful benefits.² INCOMPAS also explained that the Commission does not have the authority to adopt a single-level restriction.³ The record in this proceeding overwhelmingly supports these conclusions.

As the Alliance for Telecommunications Industry Solutions (ATIS) explains, a single level resale restriction “would have broad impacts to the entire industry, limit competitive options, and increase costs to consumers.”⁴ ATIS and other commenters identify numerous important niche markets served by providers that rely on multi-level resale. ATIS states that entities rely on multi-level resale to “serve niche markets based on demographics such as income, age, location (rural, urban, etc.) and serve industry segments such as financial services, insurance, debt collection, and associated call center services.”⁵ USTelecom states that multi-level resale is used by (1) entities that sell numbering resources to software-as-a-service companies, which in turn offer native calling capabilities to their customers, (2) mobile virtual

² See Comments of INCOMPAS, WC Docket No. 26-49, *et al.*, 7-18 (filed June 8, 2026) (“INCOMPAS Comments”).

³ See *id.* at 19-22.

⁴ See ATIS Comments at 13.

⁵ See *id.* at 14.

network aggregators, which resell numbering resources exclusively to mobile network operators, and (3) entities that serve conference calling platforms, hospitals, universities, and e-commerce sellers.⁶ NCTA explains that “[t]here are several wholesale offerings in the marketplace today that provide turnkey voice solutions—often to enterprise customers—employing numbers and services being resold at a second or third level.”⁷ These “procompetitive offerings, which present little incremental risk of proliferating illegal robocalls, would need to be discontinued or significantly restructured if the proposed rule was adopted.”⁸

Limiting the resale of numbering resources would further harm competition by empowering entities with direct access to numbering resources to increase prices and control the pace of innovation. As the Responsible Enterprises Against Consumer Harassment, Mutual Benefit Corporation put it, “in essence, the single level of resell rule would create a powerful cartel of direct access number suppliers who could work with their chosen handful of resellers to limit access to numbers and set pricing as they see fit.”⁹

Commenters also agree that implementing a single-level resale limit would harm consumers because it would require costly and confusing telephone number churn and likely mass porting of telephone numbers among carriers. As ATIS explains, “[t]he anticipated churn associated with migration efforts could significantly impact end users currently assigned these

⁶ See USTelecom Comments at 11-12. See also Responsible Enterprises Against Consumer Harassment, Mutual Benefit Corporation (REACH) Comments at 2 (explaining that a single-level resale limit “would crush companies that provide communication platforms as a service (CPaaS) who would lose the ability to sell number resources to their users”).

⁷ See NCTA Comments at 9.

⁸ See *id.*

⁹ See REACH Comments at 2.

numbers as well as all industry providers.”¹⁰ Lumen agrees that a single-level resale limit “would create significant customer churn,”¹¹ and Voice on the Net Coalition concludes that such a rule “would require unwinding or abrogation of existing commercial agreements for telephone numbers which would impose significant transaction costs on [voice service providers] with no corresponding consumer benefit.”¹²

At the same time, commenters agree that a single-level resale limit would be an ineffective means of limiting the volume of illegal robocalls. Bandwidth states that “[t]he practical impossibility of ensuring that a resale restriction is defined tightly enough to avoid arbitrage and loopholes is not a productive use of the collective industry’s resources.”¹³ It further explains that, “because of number porting, a reseller who is constrained by one carrier’s single-level restrictions can easily move its inventory to a direct access recipient less interested in enforcing any resale restriction rules” yielding the conclusion that a “single-level resale restriction is highly unlikely to work in practice and almost certainly will do very little to help prevent the scourge of illegal fraud and abuse in the existing marketplace.”¹⁴

Furthermore, as Inteliquent explains, the number of resale levels for numbers “is typically not what determines whether an illegal robocall can be traced and stopped.”¹⁵ Under

¹⁰ *See* ATIS Comments at 13.

¹¹ *See* Lumen Comments at 4.

¹² *See* VON Coalition Comments at 5.

¹³ *See* Bandwidth Comments at 17.

¹⁴ *See id.*

¹⁵ *See* Inteliquent Comments at 17.

STIR/SHAKEN, “[t]he party that signs and originates the call is . . . identifiable, and accountable, whether the number reached the caller through one intermediary or several. Adding a level of suballocation does not add a signer, alter the attestation, or lengthen the traceback path.”¹⁶ In sum, “b[ecause additional levels [of resale] do not automatically diminish the Commission’s ability to identify the source of illegal traffic, a flat prohibition on suballocation beyond a single level would not directly advance the anti-robocall objective.”¹⁷

In sum, a single-level resale limit would impose significant costs in the form of reduced competition and harms to consumers without helping to reduce illegal robocalls. The Voice on the Net (VON) Coalition observes that this is precisely the experience in European countries, including France, that have sought to address robocalls by limiting resale and the availability of numbers.¹⁸ The VON Coalition explains that resale restrictions in Europe have “stifled the development of specialized wholesale and aggregation services that depend on the ability to source and redistribute numbering resources across multiple tiers of the supply chain.”¹⁹ Unsurprisingly, “[t]he European experience demonstrates that limiting sub-resale primarily benefits large incumbents that already hold numbering resources directly and disadvantages smaller and newer market entrants.”²⁰ Moreover, “single-level resale restrictions have not materially reduced the volume of illegal robocalls or fraudulent calling in the jurisdictions that

¹⁶ *See id.* at 17-18.

¹⁷ *See id.* at 18.

¹⁸ *See* VON Coalition Comments at 4-5.

¹⁹ *See id.* at 5.

²⁰ *See id.*

have adopted them. Bad actors have simply adapted their operations to source numbers through compliant-appearing front entities or by using numbers obtained through other means, including spoofing.”²¹

Nor does the Commission even have the legal authority to implement its proposal. Bandwidth explains that a single-level resale limit would “run directly into” the requirement that all local exchange carriers offer their retail telecommunications services for resale.²² Moreover, “because of the statutory canon that the specific controls the general, the TRACED Act section 6(a) authority the Commission invokes cannot override the affirmative statutory duty of a local exchange carrier to permit resale of its telecommunications services.”²³ Bandwidth further questions how “the Commission’s jurisdiction over an entity that is not a carrier or a direct access recipient of telephone numbers to prevent resale by that entity.”²⁴ Consistent with INCOMPAS, Bandwidth also explains that the Commission cannot rely on ancillary jurisdiction to adopt a single-level resale limit.²⁵

As stated, almost no party expressed support for a single-level resale limit. The only commenter that fully supports the proposal is a coalition of entities representing financial

²¹ *See id.*

²² *See* Bandwidth Comments at 18. *See also* VON Coalition Comments at 6 (“Congress in the Telecommunications Act of 1996 recognized the importance of a vibrant resale market. In particular, Section 251(b)(4) imposes an obligation on incumbent local exchange carriers to offer for resale at wholesale rates, any telecommunications service that the carrier provides at retail to its subscribers, and prohibiting or imposing unreasonable or discriminatory conditions on such resale”).

²³ *See* Bandwidth Comments at 18.

²⁴ *See id.*

²⁵ *See id.*

institutions led by the American Bankers Association. Those entities do not address any of the substantial costs associated with a single-level resale limit described above. They merely state that they “agree with the Commission that the resale of telephone numbers can undermine transparency, accountability, and effective enforcement in the numbering ecosystem.”²⁶ The only information offered in support of this conclusion is the assertion that “[w]hen phone numbers are obtained, transferred, or utilized through multiple layers of intermediaries, it obfuscates which entity is placing calls from the number (i.e., which entity controls the number), which provider vetted the caller, and which actor should be held responsible for unlawful traffic.”²⁷ The only other party to express even partial support for a single-level resale limit, 448 Consulting, states that a single-level resale limit “will reduce the visibility gaps that enable robocall enforcement evasion” without providing any support for this conclusion.²⁸

But as explained, a single-level resale limit is unlikely to fix the lack of visibility. What is more, as Inteliquent made clear, if STIR/SHAKEN were fully implemented, multiple levels of resale would not diminish the Commission’s ability to identify the source of illegal traffic. Thus,

²⁶ See American Bankers Assoc. et al Comments at 4.

²⁷ See *id.*

²⁸ See 448 Consulting, LLC Comments at 3. It is worth noting that even 448 Consulting only supports a very limited restriction on resale, one that would still permit the following:

“(1) the internal routing and provisioning functions a provider performs to deliver service to its own end users; (2) white-label commercial arrangements where a downstream operator provides service under its own brand but receives numbers from a single upstream provider without further redistribution; and (3) managed service arrangements where a provider operates numbering functions on behalf of an end user rather than provisioning numbers to another provider for redistribution.”

See *id.*

while INCOMPAS fully shares the desire to reduce the number of costly illegal robocalls, limiting resale is not the solution. Only by implementing STIR/SHAKEN (perhaps with enhancements) can the Commission effectively address illegal robocalls.

III. ADDRESSING CALL MISLABELING AT TERMINATION WILL SOLVE THE NUMBER CYCLING HARMS THE NPRM IDENTIFIES

As INCOMPAS explained in its opening comments, blunt regulatory instruments targeting numbering resources and number cycling are unlikely to meaningfully reduce illegal robocalling while imposing significant costs on competitive providers and their customers.²⁹ The record developed in this proceeding reinforces that conclusion and points to the actual source of the harm: terminating providers and their analytics vendors are not using the authenticated call information the Commission’s own STIR/SHAKEN framework already requires originating providers to transmit, and are instead relying on proprietary branding and registration products that operate outside that framework entirely.

A. Terminating-Side Analytics Practices, Not Number Cycling, Are Driving Mislabeled

STIR/SHAKEN, including its Rich Call Data (“RCD”) extension, was developed to give terminating providers cryptographically authenticated information about the originating number, carried in the SIP header of every call, sufficient to make accurate labeling and blocking decisions.³⁰ The Commission has required originating providers to implement this framework in

²⁹ See INCOMPAS Comments at 3-4 (arguing that the proposals to expand the entities subject to NRUF reporting, revise the definition of intermediate numbers, and to adopt a single-level resale limit were unlikely to yield meaningful benefits for reducing illegal robocalls).

³⁰ *Advanced Methods to Target and Eliminate Unlawful Robocalls, et. al.*, CG Docket No. 17-59, *et al.*, Ninth Further Notice of Proposed Rulemaking, *et al.*, FCC 25-76, paras. 9-13 (rel. Oct. 29, 2025) (“*Caller Identity Information FNPRM*”) (describing the STIR/SHAKEN framework and Rich Call Data, and proposing to require terminating providers to transmit verified caller identity information when A-level attestation is indicated).

full, and has continued to expand and refine attestation obligations at origination in the years since.³¹ Yet the record shows that some terminating-side analytics providers instead label and block calls using proprietary branded-calling products developed and monetized independently of STIR/SHAKEN. These include Branded Calling ID (“BCID”) products, offered in connection with wireless carrier’s services, and number registration or “pre-vetting” services that similarly sit outside the authentication framework and outside any Commission governance process.³² Both models require originating providers or their customers to pay for a private product to avoid having legitimate, authenticated calls mislabeled as spam—even though industry and federal regulators have already built and mandated the tool, respectively, that should make that payment unnecessary.

This is the actual root cause of the mislabeling problem the Commission’s *Notice* attributes to number cycling. A legitimate provider’s customer with a properly attested, non-spoofed number is nonetheless at risk of being flagged as “spam likely” if the terminating provider’s analytics vendor does not recognize the number or if the customer has not separately subscribed to a branding product. The number is not the variable that determines whether a call is legitimate; the originator’s behavior is. Bad actors will misuse whatever numbers they can obtain regardless of numbering policy, while legitimate providers and their customers remain

³¹ TRACED Act, Pub. L. No. 116-105, 133 Stat. 3274 (2019); 47 U.S.C. § 227b(b)(1)(A); *see also Caller Identity Information FNPRM* at paras. 30–49 (proposing to expand originating-provider verification obligations for transmitted caller identity information).

³² *See, e.g.*, Written Ex Parte Presentation of First Orion Corp., CG Docket No. 17-59, WC Docket No. 17-97, 1-2 (filed May 26, 2026)(“First Orion Ex Parte”)(suggesting that tying branded calling or display to any single framework or technology is “unnecessary or detrimental”); Letter from Keith Buell, General Counsel and Head of Global Public Policy, Numeracle, to Marlene H. Dortch, Secretary, FCC, CG Docket Nos. 17-59, 02-278, 25-307, WC Docket No. 17-97 (filed Apr. 9, 2026) (advocating for Commission-established KYC standards while offering a proprietary registration-based solution).

good stewards of the numbers they are assigned. Where the ecosystem has failed is not in permitting number cycling, it is in permitting the labeling decisions made at termination to be disconnected from the authenticated behavioral and caller identity information STIR/SHAKEN was designed to provide.

B. This Market Dynamic Produces a Race to the Bottom That Increases Number Cycling and Number Exhaust

The practical effect of this incentive structure is to manufacture the very number cycling problem the *Notice* seeks to address. When a competitive provider's customer receives a new number that is mislabeled—not because of the customer's own calling behavior, but because a terminating analytics vendor did not recognize the number or because the customer has not purchased a branding subscription—the customer's rational response is to seek numbers that work. In practice, this means cycling through number blocks from the same provider and, when that fails, porting to another competitive provider in hopes that a different range of numbers will not carry the same reputational taint.

This cycle is self-reinforcing: each round of cycling increases number exhaust, degrades the average reputational standing of number blocks across the ecosystem, and produces exactly the pattern of frequent reassignment that terminating-side analytics tools flag as suspicious, essentially reinforcing the very mislabeling that caused the cycling in the first place. The Commission should recognize this as a byproduct of analytics providers' business models and labeling practices, not as evidence that number cycling itself is the threat vector warranting new numbering restrictions.

C. The Commission Should Require Terminating Providers to Rely on Authenticated Rich Call Data, Not Proprietary Branding or Registration Products, and Should Mandate Greater Transparency Into Labeling Decisions

What terminating providers and their analytics vendors should be doing is using the STIR/SHAKEN framework as intended, rather than building value-added services, like branded calling or number registration products, on top of it. By presenting the RCD already embedded in the authenticated call, terminating providers can make accurate labeling decisions without resorting to products that sit outside the framework and outside Commission oversight, and without conditioning accurate labeling on a caller's willingness to pay a private vendor.

Equally necessary is greater transparency into the labeling and mislabeling decisions terminating providers and their analytics partners are making today, so that legitimate callers can understand and contest why their calls are being flagged. The Commission has imposed extensive, and expanding, attestation obligations on originating providers precisely so that authenticated caller information travels with the call end-to-end; it makes little sense to impose those obligations at origination and then permit terminating providers to disregard that information in favor of proprietary alternatives that duplicate, rather than use, what STIR/SHAKEN already provides. Accordingly, the Commission should:

- Require that terminating providers and their analytics vendors transfer and rely on STIR/SHAKEN attestation and RCD information as the primary basis for labeling and display decisions, rather than proprietary branded-calling or number-registration products offered outside the STIR/SHAKEN framework;
- Require analytics providers offering paid branding or “verified caller” services to disclose the criteria used to label unbranded or unbranded-equivalent calls, and to confirm that those criteria are based on originator behavior rather than number characteristics or non-participation in a paid product; and

- Establish a reasonable transition period following number reassignment during which new number holders are shielded from blocking or adverse labeling based solely on the historical call patterns of prior users.

The analytics vendors' preferred approach, which urges the Commission to avoid endorsing or requiring any single technology or framework for terminating-side analytics, even as originating providers face an expanding set of STIR/SHAKEN attestation mandates, is the wrong path forward for the Commission to accommodate.³³ Having required the entire industry to bear the cost of authenticating calls and encouraging the inclusion of RCD at origination, the Commission should not now permit terminating providers and their analytics partners to disregard that authenticated information in favor of proprietary products that impose new costs without addressing the actual source of consumer harm. The numbering restrictions proposed in the Notice are misdirected for the same reason: they target the number, when the record shows the relevant variable is the labeling practice applied to it at termination.

IV. CONCLUSION

For the reasons stated herein, INCOMPAS urges the Commission to consider the recommendations in its reply comments as it examines the issues raised in the *NPRM*.

Respectfully submitted,

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³³ See First Orion Ex Parte at 1.