

Resolution on Federal/State Joint Efforts to Address and Resolve Call Termination Issues

WHEREAS, The Public Switched Telephone Network (PSTN) is a series of interconnected networks operated by multiple providers; *and*

WHEREAS, The value of the PSTN requires the ability of end users to make and receive calls regardless of their location; *and*

WHEREAS, The Federal Communications Commission (FCC) has unequivocally stated in its Declaratory Ruling and Order, WC Docket No. 07-135, DA 07-2863, released June 28, 2007 at paragraph 6, “that no carriers, including interexchange carriers, may block, choke, reduce or restrict traffic in any way”; *and*.

WHEREAS, The FCC has also acknowledged in footnote 20 of the Call Blocking Declaratory Order that exceptions to its no-blocking and no-call choking policy are permitted only under “rare and limited circumstances”; *and*

WHEREAS, The FCC has in recent years taken prompt steps to address perceived or actual blocking of calls and other problems associated with the routing and transmittal of traffic across a wide variety of networks, including Voice over Internet Protocol calls and Internet access; *and*

WHEREAS, The failure to complete calls is having a significant negative impact on consumers and interstate commerce throughout the country; *and*

WHEREAS, A recent letter sent by various Rural Trade Associations to the FCC’s Investigations and Hearings Division of the Enforcement Bureau outlines recent and continuing call completion issues and notes that from prior to 2008 to mid-April 2011, over 10,000 consumer call completion complaints have been reported to the Rural Trade Association members with the number of complaints increasing over 2,000% during the April 2010 to March 2011 time frame; *and*

WHEREAS, A growing number of State commissions have begun their own investigations of the call termination issues that have been raised in each of their States; *and*

WHEREAS, One Hundred and Seventy Six rural incumbent local exchange companies in 35 States have reported having call termination issues for both voice calls and faxes; *and*

WHEREAS, The call termination issues manifest themselves in several ways such as, but not limited to, the calling party hears ringing but the called party hears nothing, the called party’s phone rings but hears dead air when the call is answered, the calling party hears a fast busy, where there are unusually long call set-up times or there is the use of a call intercept messages, or the called party receives a display of incorrect Caller ID information; *and*

WHEREAS, Suspected causes of the reported call completion issues include, but are not necessarily limited to, originating carriers failing to ensure transiting providers they route traffic to for termination comply with industry standards and guidelines, the improper use of least cost

routing arrangements where routing tables are not updated and/or where certain entities specifically decline to terminate traffic to generally higher cost rural areas; *and*

WHEREAS, To date, there has been no demonstration by providers or other entities that the call termination issues fit within the “rare and limited” exceptions to the FCC’s no-call blocking and no-call choking policies enunciated in the Call Blocking Declaratory Order; *and*

WHEREAS, Call termination issues create negative public interest by adversely impacting State and interstate commerce, reducing State and federal tax revenues, degrading the quality of the PSTN, and adding risks to public health and safety; *and*

WHEREAS, Call termination issues are antithetical to the public interest by creating confusion, isolation and frustration on the part of called parties and calling parties; *now, therefore be it*

RESOLVED, That the Board of Directors of the National Association of Regulatory Utility Commissioners, convened at its 2011 Summer Committee Meetings in Los Angeles, California, encourages the FCC to reaffirm its decision in its Call Blocking Declaratory Order, “that no carriers, including interexchange carriers, may block, choke, reduce or restrict traffic in any way”; *and be it further*

RESOLVED, That the FCC expand its earlier finding that all providers comply with industry standards and best practices when routing traffic thereby not interfering with the quality of the transmission; *and be it further*

RESOLVED, That the FCC and State commissions take all appropriate actions to protect consumers by immediately addressing the call terminating issues that exist.

*Sponsored by the Committee on Telecommunications
Adopted by the NARUC Board of Directors July 20, 2011*