

Open Net Inc. d/b/a Bway.net is a voice service provider that focuses its business and operations on the wholesale and business customer segments of the voice services communications market. As part of its customer on-boarding process, we undertake various commercially reasonable precautions to verify a given customer's identity as part of entering into a formal written agreement.

Know Your Customer (KYC): We verify the identity of all customers prior to providing service, including validating business information and monitoring usage patterns. Our customers have a physical brick and motor location and we setup the and deploy phones for use.

We collect as part of this process the business customers name, address, point of contact, and their email and phone number. Bway.net does not use any 3rd party analytic vendors to identify and block illegal traffic.

Enforcement: We take immediate action, up to and including suspension or termination, against customers found to be originating unlawful robocall traffic.

Traceback Cooperation: We commit to respond fully and within 24 hours to all traceback requests from the Commission, law enforcement, and the Industry Traceback Group.

Ongoing Compliance: We cooperate with government agencies and industry groups in investigating and preventing illegal robocalls.

Telephone Number Authorization and STIR-SHAKEN Capabilities Open Net is a non-facilities-based reseller that lacks the necessary facilities and control over the network infrastructure necessary to implement STIR/SHAKEN, and therefore does not have a STIR/SHAKEN implementation obligation. See Sixth Caller ID Authentication Report and Order ¶36 & n. 137; id. ¶ 45 & n.170.

Open Net's customers, both retail end user and wholesale, can only use telephone numbers to which they have subscribed (via its downstream carrier partner), such that we have documented, verified relationship between the originating caller and their telephone number(s) used to originate their calls. As such, we can readily confirm the caller ID on any given call with the customer associated with that call, and the system is designed to prevent unlawful spoofing by customers.

Description of Past FCC RMD Action/Investigation

Bway.net provides this additional information in response to this prompt on the RMD Certification:

Provide a description of any such action or investigation, including all law enforcement or regulatory agencies involved, the date that any action or investigation was commenced, the current status of the action or investigation, a summary of the findings of wrongdoing made in connection with the action or investigation, and whether any final determinations have been issued.

BWay.net was one of the companies removed from the RMD through this FCC Order, <https://docs.fcc.gov/public/attachments/DA-25-737A1.pdf>:

The Bureau finds that the Companies listed in Appendix A have deficient RMD certifications because they failed to update their certifications with the required information. Despite receiving an email notification from WCB informing the Company that its RMD certification was noncompliant, and an

order from the Bureau to cure the deficiency or explain why the Company should not be removed, each Company listed in Appendix A failed to take remedial measures. Therefore, the Companies' RMD filings are deficient and warrant removal.

An FCC email address bcc'ed us on an email on December 10, 2024 and then another on December 17, 2024, and we now see that we were bcc'ed on an email that stated "Please find attached a Public Notice released by the Enforcement Bureau (Bureau) of the Federal Communications Commission announcing that a summary of the Bureau's Order pertaining to deficiencies in your Robocall Mitigation Database certification has been published in the Federal Register." We do not recalling seeing these messages, since it was generic in nature and therefore we apologize for not understanding these emails. We have now worked with outside FCC counsel to better understand the system.

That second email included a copy of the Bureau's Public Notice that stated:

By this Public Notice, the Enforcement Bureau (Bureau) announces that on December 17, 2024 a summary of the Bureau's order (Order) directing 2,411 voice service providers and gateway providers (each, a Company; collectively, the Companies) to show cause why they should not be removed from the Robocall Mitigation Database (RMD) was published in the Federal Register. Each Company named in Appendix A to the Order must file its response by December 31, 2024. Each Company must cure the deficiencies in its RMD certification and notify the Bureau that the deficiencies have been cured or file a response explaining why the Bureau should not remove the Company's certification from the RMD.

Unfortunately, we did not understand the importance of what to us looked like mass emails. The Bureau's August 25, 2025 Order removed us from the RMD because we did not "not cure the deficiencies in their RMD certifications and notify the Bureau that the deficiencies have been cured; or file a response with sufficient explanation for why the Bureau should not remove the Company's certification from the RMD."

On August 26, 2025, Bandwidth.com had sent us what looked like a marketing email in a blanket format that said this is a notice of the removal of US Termination outbound voice on August 27, 2025 and it was missed due to its marketing nature and then we quickly started to address and we were re-instated on August 29, 2025 after the outbound services stopped working and after we emailed and worked with the FCC on August 28 and 29, 2025. We updated our RMD entry quickly and Bandwidth.com restored our services as soon as we were reinstated by the FCC. We believe the status is resolved as we have worked with FCC staff cooperatively to update our RMD as they suggest.

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In summary, Bway provides the following details regarding the FCC action or investigation:

(1) *all law enforcement or regulatory agencies involved:* The FCC.

(2) *the date that any action or investigation was commenced:* August 25, 2025
(<https://docs.fcc.gov/public/attachments/DA-25-737A1.pdf>)

(3) *the current status of the action or investigation:* Bway has worked with FCC Staff several times and received Provisional Reinstatement.

(4) a summary of the findings of wrongdoing made in connection with the action or investigation. As explained in Paragraph 1 of the FCC's August 25, 2025 Order, the Company's RMD certification was deficient because: (a) a robocall mitigation plan was not provided or the plan lacks information required to be submitted by February 26, 2024; and (b) the certification lacks information required by that same date. On December 10, 2024, the Bureau issued an Order affording the Company a final opportunity to cure the deficiencies in their RMD certifications and notify the Bureau that the deficiencies have been cured; or to file a response with sufficient explanation for why the Bureau should not remove the Company's certification from the RMD. The Company failed to do either.

(5) whether any final determinations have been issued: BWay understands the Bureau's August 25, 2025 Order to be final, and we have worked with FCC Staff to include the additional information requested.