

6x6 Termination Corp
ROBOCALL MITIGATION PLAN

I. Background

The Federal Communications Commission (“FCC” or “Commission”) has adopted rules requiring voice service providers, like 6x6 Termination Corp (“6x6 Termination”), to, among other things, file certifications and robocall mitigation plans in the FCC’s Robocall Mitigation Database (“RMD”). 47 CFR § 64.6305; *see also Call Authentication Trust Anchor*, WC Docket No. 17-97, Sixth Report and Order and Further Notice of Proposed Rulemaking, FCC 23-18 (Mar. 17, 2023) (“*Sixth Caller ID Authentication Report and Order*”).

47 C.F.R. § 64.6305(a)(2); *id.* at § 64.6305(b)(2)- (c)(2) (parallel rule for gateway and non-gateway intermediate providers’ “carrying or processing illegal robocall traffic”).

Despite imposing a general duty to mitigate “robocalls,” the Commission’s codified rules do not define “robocall.”² The TRACED Act defines “robocall violation” as “a violation of subsection (b) or (e) of section 227 of the Communications Act of 1934.” TRACED Act § 11(d), Pub. L. No. 116-105, 133 Stat. 3274 (2019); *id.* at § 13(d)(f)(3) (defining a “suspected unlawful robocall” as a “call that

¹ See <https://docs.fcc.gov/public/attachments/DA-24-73A1.pdf> (WCB Jan. 25, 2024 Public Notice).

² The Commission’s TCPA-related regulations, 47 C.F.R. § 64.1200, use the undefined term “illegal traffic,” 47 C.F.R. § 64.1200((k)-(m)), while its STIR/SHAKEN-related regulations define the FCC’s public-facing Robocall Mitigation Database, but not the “robocalls” that are to be mitigated. 47 C.F.R. § 64.6300. Thus, neither of the regulations that bear directly on the project of robocall mitigation expressly define “robocall.” *Cf. In re Advanced Methods to Target & Eliminate Unlawful Robocalls*, CG Docket No. 17-59, Report and Order and Further Notice of Proposed Rule Making, 32 FCC Rcd. 9706, 9725 ¶ 56 (Nov. 17, 2017) (declining to define “illegal robocall,” and acknowledging that “the record shows confusion regarding how the proposed definition of ‘illegal robocall’ should apply to the call blocking rules.”); *In re Core Communications, Inc., et al. Tariff F.C.C. No. 3*, WC Docket No. 21-191, Order, 36 FCC Rcd. 9997, 9999 (June 23, 2021) (In a related context, stating that the “Commission defines a robocall as a call made using an automatic telephone dialing system or an artificial or prerecorded voice.”) (citing 47 U.S.C. § 227(b)(1); 47 CFR § 64.1200(a)). 6x6 Termination therefore focuses on the two types of unlawful calls—227(b) and 227(e) of the TCPA—that Congress expressly addressed.

the Commission or a voice service provider reasonably believes was made in violation of subsection (b) or (e) of section 227 of the Communications Act of 1934.” Thus, 6x6 Termination’s training and mitigation efforts focus, as they must, on potentially unlawful calls that violate either (a) 47 U.S.C. § 227(b) (governing non-emergency calls initiated with a prerecorded or artificial voice or an automatic telephone dialing system, as that term has been interpreted by the Supreme Court in *Facebook, Inc. v. Duguid*, 592 U.S. 395 (2001)) or (b) 47 U.S.C. 227(e), or the Truth in Caller ID Act, which prohibits people from causing “any caller identification service to knowingly transmit misleading or inaccurate caller identification information with the intent to defraud, cause harm, or wrongfully obtain anything of value,” absent an applicable exemption.

The FCC’s rules contemplate that the provider’s plan should describe how it “complies with its obligation to know its customers pursuant to § 64.1200(n)(4) [for originating voice service providers], any procedures in place to know its upstream providers, and the analytics system(s) it uses to identify and block illegal traffic, including whether it uses any third-party analytics vendor(s) and the name(s) of such vendor(s).” 47 C.F.R. § 64.6305(d)(1)(ii); *see also* 47 C.F.R. § 64.6305(f)(2)(ii). The Commission has acknowledged, however, that, “we do not currently require [] providers other than gateway providers to engage in ‘know-your-upstream-provider’ procedures, [but] if they have put such procedures in place, they must be documented in their robocall mitigation plan,” and that “we do not specifically require providers to use call analytics.” *Sixth Caller ID Authentication Report and Order* ¶ 40 & n.155-56.

The Commission has explained that a robocall-mitigation program is “sufficient if it includes detailed practices that can reasonably be expected to significantly reduce” the provider’s origination or carriage of illegal robocalls, and the voice service provider complies with the practices described in its plan. *Sixth Caller ID Authentication Report and Order* ¶ 31. 6x6 Termination is dedicated to developing and taking reasonable steps. This document outlines 6x6 Termination’s robocall mitigation plan.

II. 6x6 Termination’s Know Your Customer (“KYC”) Standards

6x6 Termination is a voice service provider that focuses on providing services to business end-users and the wholesale voice services communications market. As part of its customer-onboarding process, 6x6 Termination undertakes various commercially reasonable precautions to verify a given customer’s identity, including having its customers complete a KYC questionnaire, a USF Exemption Certificate for carrier customers, and a formal written contract. Among other data points collected and, as appropriate, verified, as part of those processes, 6x6 Termination gathers the following customer- identifying facts and circumstances:

- Customer business name and entity type,
- state or country of incorporation,
- physical business location,
- contact person(s), with business phone number and email addresses, for main, technical, and compliance customer contacts;

- trade and/or bank references,
- federal tax ID number,
- FCC 499 Filer ID & FRN;
- Robocall Mitigation Database filing indicating STIR/SHAKEN compliance; and
- Company website and/or other customer-facing presence;

6x6 Termination's verification practices include confirming a carrier customer's reported status in the FCC's Form 499 Filer database of registered carriers and the Commission's Robocall Mitigation Database, and performing internet research into the company's reasonably accessible online profile and potential call-usage-claim-related history. 6x6 Termination also conducts, as applicable, reference checks with a prospective customer's other carrier-suppliers, and reviews their traceback history. When 6x6 Termination onboards new customers, 6x6 Termination's team also checks all new account traffic profiles for patterns relating to call duration, caller ID usage, ASR, and other metrics to help assess traffic hygiene issues.

III. 6x6 Termination's Acceptable Use Policy

As part of its customer-onboarding process, all of 6x6 Termination's customers contractually agree to various terms and conditions, including a commitment to comply with 6x6 Termination's Acceptable Use Policy (AUP). Among other things, this AUP prohibits:

- Using the Services to engage in any activities that are illegal, abusive, false, fraudulent, deceptive or misleading, or any activity that exploits, harms, or threatens to harm children.
- Engaging in any unsolicited advertising, marketing, or other unlawful activities using the Services, including, without limitation, any activities that violate laws applicable to advertising, electronic communications, and telemarketing, such as the Federal Trade Commission Telemarketing Sales Rule (16 C.F.R. § 310 et seq.), the Telephone Consumer Protection Act (47 U.S.C. § 227), the Federal Communications Commission regulations (47 C.F.R. § 64.1200 et seq.) and orders implementing the Telephone Consumer Protection Act, and all federal and state Do Not Call and calling-time restriction laws and regulations.
- Creating a false identity, forged email address or header, phone number, or otherwise attempting to mislead others as to the identity of the sender or the origin of a message or phone call, including failing to comply with the Truth in Caller ID Act.

6x6 Termination's contracts with its customers provide that 6x6 Termination is authorized to suspend and/or terminate all Services in the event of an AUP violation.

IV. Telephone Number Authorization and STIR-SHAKEN Capabilities

6x6 Termination has fully implemented the STIR/SHAKEN authentication framework across its entire network. 6x6 Termination's network accurately signs and accepts and transmits all STIR/SHAKEN-

related data it receives in the call path, consistent with 47 C.F.R. § 64.6302-05.

6x6 Termination restricts its end users to only making calls from telephone numbers that 6x6 Termination has assigned them or numbers they have demonstrated a right to use, and applies the applicable attestation levels to such calls. 6x6 Termination further restricts end users from making prerecorded/artificial voice calls.

V. Proactive Network Monitoring

6x6 Termination has various monitoring and reporting systems in place to analyze traffic on its network for potentially suspicious traffic patterns that are likely to be associated with illegal robocalls or other potentially unlawful usage. For example, 6x6 Termination's monitoring systems assess and, as applicable, flag or automatically block, traffic based on various criteria, including

- matching NPA-NXXs of the calling and called parties' telephone numbers;
- blocking calls purporting to be from a telephone number on Somos' Do-Not-Originate list;
- blocking calls from any Media IP address associated with a known or reported illegal robocalling entity, including Media IP addresses sourced from FraudCentral robocall-mitigation suite of tools; see <https://fraudcentral.io>.
- In addition to its internal analytics, Somos DNO, and FraudCentral Roboguard integrations, 6x6 Termination also subscribes to ZipDX's RRAPTOR product for monitoring insights.

If 6x6 Termination detects a pattern consistent with illegal robocalls, or has reason to suspect illegal robocalling or spoofing is occurring on its network, 6x6 Termination takes prompt action to identify the party that is using its network to carry these calls and take appropriate action.

VI. Commitment to Timely Traceback Responses and Cooperation

6x6 Termination commits to respond fully and in a timely manner, within 24 hours, to all traceback requests from the Commission, law enforcement, and the industry traceback consortium, and to cooperate with such entities in investigating and stopping any illegal robocallers that use its service to originate, carry, or process illegal robocalls. 6x6 Termination will dedicate sufficient resources to provide timely and complete responses to such requests, and will investigate suspicious activity found by its monitoring systems or reported to it by appropriate parties and take appropriate action.