



January 17, 2018

The Honorable Robert Olson
Chair, Kansas Senate Utilities Committee
300 SW 10th St
Room 236-E
Topeka, KS 66612

Dear Chair Olson:

On behalf of CTIA, the trade association for the wireless communications industry, I write in opposition to Kansas House Bill 2273 related to the state's No-Call Act. Although well-intentioned, the bill is unlikely to achieve its desired effect. Instead, the bill will likely inhibit communications between legitimate businesses and Kansas customers that provide valuable and beneficial information.

Federal rules (47 C.F.R. 64.1200) already prohibit unwanted telephone calls to wireless telephone numbers. The rules specifically prohibit a person or entity from initiating a telephone call using an automatic telephone dialing system or an artificial or prerecorded voice to any telephone number assigned to a paging service, cellular telephone service, specialized mobile radio service, or other radio common carrier service, or any service for which the called party is charged for the call without consumer consent. It is unlikely additional state laws on this issue will weed out the bad actors that are already breaking the law.

In addition, it is unclear how the provisions in the bill would operate. In the mobile phone context, a consumer may currently reside in Kansas with a phone that has an out-of-state area code. It would be difficult for a telephone solicitor - based only on the known area code - to know where the consumer resides if the solicitor does not have a current relationship with the consumer. The telephone solicitor would have to know the consumer's current address to ensure it was not calling a Kansas consumer. There would be significant compliance issues with these scenarios. Accordingly, HB2273 would likely create confusion for wireless consumers and legitimate businesses trying to contact consumers and would unlikely stop bad actors.

Moreover, the communications industry, including CTIA, worked with the Federal Communications Commission through the "Robocall Strike Force" to combat illegal robocalls. The strike force made significant progress over the past year, and the



communications industry is committed to continue its work to provide consumers tools to block unwanted calls.

CTIA's carrier and mobile device manufacturer members have also developed a variety of tools, many for free and others for a minimal cost, that help consumers prevent unwanted communications, including call blocking. In addition to these tools, consumers can choose call-blocking applications offered by third parties. There are currently dozens of downloadable apps that consumers can use to block unwanted calls. CTIA has also published step-by-step instructions and compiled a list of the many available applications that will work on the major handset operating systems, which are available at ctia.org.

For these reasons, we would ask that you not move HB2273. Thank you for your consideration.

Sincerely,

Gerard Keegan
Assistant Vice President
State Legislative Affairs