Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
Protecting Consumers from Unauthorized Carrier Changes and Related Unauthorized Charges	)	CG Docket No. 17-169
Truth-in-Billing and Billing Format	)	CC Docket No. 98-170

REPLY COMMENTS OF THE WIRELESS INFRASTRUCTURE ASSOCIATION

The Wireless Infrastructure Association ("WIA")[1] respectfully submits these reply comments in response to the Notice of Proposed Rulemaking ("NPRM") seeking to consolidate and simplify the Commission's "slamming" and truth-in-billing rules.[2] WIA supports the Commission's effort to create a streamlined code of federal regulations that is easier for consumers and providers to understand while eliminating ambiguous or unnecessary requirements. However, we caution the Commission of a potentially unintended consequence of this latest effort. Specifically, in consolidating the provisions currently contained in 47 C.F.R. section 64.1120, WIA is concerned that the Commission may be eliminating a critical safe harbor that allows service providers to transition customers acquired through a business transaction to their networks without the impractical requirement of obtaining individualized consent.[3]

[1] The Wireless Infrastructure Association ("WIA") represents the businesses that build, develop, own, and operate the nation's wireless infrastructure. Members include infrastructure providers, wireless carriers, and professional services firms that are responsible for telecommunications facilities around the globe.

[2] *Protecting Consumers from Unauthorized Carrier Changes and Related Unauthorized Charges,* Notice of Proposed Rulemaking, FCC 25-41 (rel. July 25, 2025) ["Slamming NPRM"].

[3] Slamming NPRM at Appx. A (proposed new 47 C.F.R. sec. 64.1120). *See* Comments of USTelecom, CG Docket No. 17-169, CC Docket No. 98-170 at 4 (Sept. 22, 2025).

As an initial matter, WIA echoes the support of numerous commenters for the need to update the Commission's rules in this proceeding to remove outdated or unnecessary requirements. As discussed by the organizations representing the companies subject to these rules, many of the provisions the NPRM seeks to modify are outdated and no longer needed.[4] The NPRM largely balances critical considerations of ensuring consumers are protected from unfair or deceptive business practices without unduly burdening the companies seeking to serve those customers. Accordingly, WIA generally supports the Commission proceeding with rules consistent with the NRPM.

In adopting rules pursuant to this proceeding however, WIA encourages the Commission to consider the broader consequences of removing certain provisions that are relied on by those entities. WIA's members concur with concerns raised by USTelecom in its comments that removing provisions of section 64.1120 could create issues for businesses that gain new customers through an acquisition or merger.[5] Currently, the Commission's rules in section 64.1120 provides a process for telecommunications carriers to acquire another carrier's subscriber base without obtaining each subscriber's individual authorization where that carrier follows a prescribed process to ensure consumers are protected.[6] WIA believes that any rules the Commission adopts should, at a minimum, maintain the process currently provided in 47 C.F.R. Section 64.1120(e) to enable bulk transfer of customers. More broadly, WIA believes that the Commission's goals of fostering

[4] *See, e.g.*, Comments of CTIA, CG Docket No. 17-169, CC Docket No. 98-170 (Sept. 22, 2025); Comments of NTCA, CG Docket No. 17-169, CC Docket No. 98-170 (Sept. 22, 2025); Comments of USTelecom.

[5] Comments of USTelecom at 4 ("Without Section 64.1120(e), carriers would be forced to attempt to obtain individual authorizations from each subscriber in the event of a bulk transfer—an approach that is neither realistic nor necessary given the safeguards already built into the rule.").

[6] 47 C.F.R. Section 64.1120(e) ("A telecommunications carrier may acquire, through a sale or transfer, either part or all of another telecommunications carrier's subscriber base without obtaining each subscriber's authorization and verification in accordance with § 64.1120(c), provided that the acquiring carrier complies with the following streamlined procedures.").

comprehensible and streamlined rules may best be served by maintaining section 64.1120 its entirety. The rules in this section provide specific and certain procedures that businesses regularly rely on during the course of their normal operations. If the Commission were to proceed with the new condensed language, it may create new ambiguities and issues that will need to be resolved through litigation and adjudication which could add costs or create delays for the companies working to deliver connectivity.

WIA appreciates the Commission's continued commitment to deleting outdated and unnecessary policies and the opportunity to provide the input of the wireless infrastructure industry. While we agree that there are many federal rules and regulations that have remained on the books long past their useful life, or have become so byzantine and complex as to be unworkable, we also urge caution in cutting rules to ensure efforts to improve the regulatory landscape do not result in greater ambiguity and uncertainty for regulated entities.

Respectfully submitted,

/s/ Stephen Keegan
Stephen Keegan
Senior Counsel, Government & Legal Affairs

WIA – The Wireless Infrastructure Association
2111 Wilson Blvd., Suite 210
Arlington, VA 22201
800.759.0300

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