



STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Philip L. Bartlett II
CHAIR

Patrick J. Scully
Carolyn C. Gilbert
COMMISSIONERS

Amy Dumeny
ADMINISTRATIVE DIRECTOR

Testimony of the Maine Public Utilities Commission

In Support of

LD 2234, An Act to Require Telephone Solicitors to Use the Reassigned Numbers Database

March 5, 2024

Senator Lawrence, Representative Zeigler, and Honorable Members of the Joint Standing Committee on Energy, Utilities, and Technology (Committee), my name is Michael Johnson, testifying in support of LD 2234, "An Act to Require Telephone Solicitors to Use the Reassigned Numbers Database" on behalf of the Public Utilities Commission.

LD 2234 requires a telephone solicitor to use the Federal Communications Commission's Reassigned Numbers Database (RND) to verify that a consumer's telephone number has not been reassigned prior to initiating a telephone sales call to that consumer.

During the First Special Session of the 131st Legislature, the Maine Legislature took some big steps to try to stop illegal robocalling by enacting Public Law 2023, chapter 144 (LD 396). The Commission is now working to enforce measures of that new law, which we believe could help curb the use of rented telephone numbers. Rented numbers is the process where wholesale companies sell or rent 207 Area Code numbers to be used one time. The numbers are then dropped because there is a seemingly endless supply of telephone numbers available. This system works well for these companies until an area code runs out of telephone numbers.

Maine people currently have a right to sign up for the Do Not Call List and expect that telephone solicitors that they do not have a relationship with will leave them alone. In addition to the Do Not Call List, the FCC recently created the RND to provide telephone solicitors with the ability to check to see if the number they are calling is their current customer or if it has been disconnected and is re-assigned to someone else.

As we all know, from time to time, someone may give up or disconnect their telephone number. That telephone number will eventually be made available to someone else. It should be set aside (or aged as the industry calls it) for at least 45 days according to FCC rules. Once the number has "aged" for at least 45 days, the telephone number can be re-assigned to a new customer.

Unfortunately for the new customer, the old owner of the number may still have companies that may still try to call them. Companies engaging in telemarketing should query the RND at least once a month to

make sure the number they are calling has not been disconnected and that the number belongs to a new customer.

The most important thing to know with this current legislation is that telemarketing companies would be required to follow both Maine law and federal rules regarding both the Do Not Call List and the RND. By implementing the additional RND measure into Maine Law, then a telemarketing company that routinely checks the RND and Do Not Call List would not be in violation of the telephone consumer protection act (TCPA) and be protected under a Safe Harbor provision for trying to do the right thing in the event information in either the RND or Do Not Call List is not updated in a timely manner.

The problems and challenges we face with robocalling and unwanted calls require a multi-faceted approach. LD 2234 provides our state with one more tool to protect Maine consumers from unwanted calls.

I would be happy to answer any questions or provide additional information for the work session. I also understand that Somos, the company that operates the RND database for the FCC, is also presenting testimony and can answer any technical questions you may have.