



Office of the Ohio Consumers' Counsel

Before
The Ohio House of Representatives
Public Utilities Committee

Testimony On
House Concurrent Resolution 12
(To Protect Ohio Consumers from Unwanted Robocalls and from Spoofing of Phone Numbers on
Caller ID)

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Hello Chair Callender, Vice-Chair Wilkin, Ranking Member Smith, and members of the House Public Utilities Committee. I thank you and the Resolution's sponsors and co-sponsors for this opportunity for OCC to testify as a proponent of HCR 12.

The Resolution calls for Congress to pass legislation granting the Federal Communications Commission greater authority to protect consumers from unwanted robocalls and from the spoofing of phone numbers on consumers' Caller ID displays. OCC, which has participated over the years in many consumer issues involving development of the telephone network, finds it very unfortunate that today's network technology is being misused in this fashion against Ohio consumers.

The numbers of robocalls are staggering. Robocallindex reports that in the month of October 2019, 221 million robocalls (or 82 per second) were placed to Ohioans.

<https://robocallindex.com/ohio/2019/october?searchTerm=Ohio>

But it gets worse. Robocalls can be accompanied by Caller ID spoofing. Spoofing is a deception intended to trick the recipient consumer into answering a call that otherwise would

have gone unanswered. And this trick can be used to deceive consumers about the true nature of the call, which can be of bad intent.

For example, the PUCO Staff recently investigated a rip-off artist named Verde Energy, that markets electricity and natural gas to consumers. Verde has been listed on the PUCO's Apples-to-Apples website as selling natural gas to Dominion consumers at three times the competitive market rate (of Dominion's standard offer). The PUCO Staff reported that Verde Energy had spoofed telephone numbers in the course of its exploitation of Ohio electric and natural gas consumers. (See PUCO Staff Report of Investigation, Case 19-958-GE-COI, pages 9-10 (May 3, 2019).) On page 10 of its Report, the PUCO Staff stated that:

Staff first notified Verde of spoofing allegations on December 21, 2018. However, Staff continues to receive complaints of this nature. Therefore, Staff has determined that Verde had not ceased its spoofing activities and continues to allow the deceptive practice to continue.

OCC recommends that the General Assembly enact legislation for a policy of "one and done" regarding energy marketers that spoof Caller ID information to deceive Ohioans. One and done means that energy marketers found to be spoofing should be "done" with any future opportunity to operate in Ohio. Under an approach of one and done, the PUCO should be required to permanently bar such bad actors from entering Ohio to market energy to consumers. And the PUCO should be required to permanently revoke (or deny the renewal of) the state certificate of bad actors like Verde Energy that already are operating in Ohio. (Verde Energy recently filed an application to renew its operating certificate to market natural gas to Ohioans. (PUCO Case 13-2164-GA-CRS).)

Thank you for the opportunity to testify in support of this Resolution to protect Ohio consumers from robocalling and the spoofing of Caller ID information.