



Federal Communications Commission
Enforcement Bureau
45 L Street, NE
Washington, DC 20554

February 15, 2023

VIA ELECTRONIC DELIVERY AND CERTIFIED MAIL - RETURN RECEIPT REQUESTED

To: Kaushal Bhavsar
CEO
One Eye LLC
500 Delaware Ave.
Suite #1-1960
Wilmington, DE 19899
kaushal.bhavsar@oneeyetelecom.com

Re: Notice of Suspected Illegal Robocall Traffic

Dear Mr. Bhavsar,

We have determined that One Eye LLC (One Eye) is a gateway provider,¹ and in that capacity is apparently transmitting illegal robocall traffic. As explained more fully below, this letter provides notice of important legal obligations and steps One Eye must take to address this apparent illegal traffic. One Eye should investigate the identified traffic and take the steps described below, including blocking the traffic if necessary, and take steps to prevent its network from continuing to be a source of apparently illegal robocalls. Failure to comply with the steps outlined in this letter **may result in downstream voice service providers blocking all of One Eye's traffic, permanently.**

Why One Eye Is Receiving This Letter. One Eye is receiving this letter because one or more investigations that the Commission conducted revealed that One Eye apparently transmitted multiple illegal robocall campaigns from the sources listed in Attachment A. These calls pertained to bank impersonation and claims of "preauthorized orders" placed on the recipient's "account."² The call script did not state what the order was for or where the order was placed. The Federal Communications Commission's Enforcement Bureau (Bureau) works closely with the USTelecom's Industry Traceback Group (Traceback Consortium), which is the registered industry consortium selected pursuant to the TRACED Act to conduct tracebacks.³ Between September 14, 2022 and November 1, 2022, the

¹ A company is a gateway provider if it is a U.S.-based intermediate provider that receives a call directly from a foreign originating provider or foreign intermediate provider at its U.S.-based facilities before transmitting the call downstream to another U.S.-based provider. 47 CFR § 64.1200(f)(19). "U.S.-based" means that the provider has facilities located in the United States, including a point of presence capable of processing the call; and "receives a call directly" from a provider means the foreign provider directly upstream of the gateway provider in the call path sent the call to the gateway provider, with no providers in-between. *Id.*

² See Attachment A.

³ *Implementing Section 13(d) of the Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act (TRACED Act)*, EB Docket No. 20-22, Report and Order, DA 22-870, para. 40 (EB 2022); see also *Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act*, Pub. L. No. 116-105, 133 Stat. 3274, Sec. 13(d) (2019) (TRACED Act).

Traceback Consortium investigated prerecorded voice message calls that Bank of America and customers of Verizon had flagged as illegal robocalls made without consent.⁴ The Traceback Consortium conducted tracebacks and determined that One Eye acted as the gateway provider for the calls. The Traceback Consortium previously notified One Eye of these calls and provided it access to supporting data identifying each call, as indicated in Attachment A. Further, the numerous tracebacks to One Eye indicate that it is apparently knowingly or negligently carrying or processing illegal robocall traffic. Under our rules (and as explained further below), gateway providers that transmit illegal robocall traffic face serious consequences, **including blocking by downstream providers of all of the originating provider's traffic**. To avoid such blocking, One Eye must take corrective actions immediately.

Moreover, we have determined that Prince Anand, the CEO of PZ Illum Telecommunications and recipient of a cease-and-desist letter from the Bureau on October 21, 2021,⁵ apparently created One Eye to evade our past enforcement efforts. In a Skype conversation with a downstream provider, Prince Anand explained that he shut down PZ/Illum Telecommunication due to our letter, but that he created a new company called One Eye LLC that would transmit calls.⁶ Prince Anand further explained that his name would not be on the paperwork for One Eye, but he would be the only owner.⁷ Since our October 21, 2021 letter, One Eye has appeared in 100 tracebacks as a gateway provider for suspected illegal robocalls.

Applicable FCC Rules. This letter is based on four FCC rules that apply to gateway providers such as One Eye. **First**, section 64.1200(n)(5) requires a gateway provider to block all identified illegal traffic and any substantially similar traffic (unless its investigation determines that the traffic is not illegal) when it receives a “notice of suspected illegal traffic” from the Enforcement Bureau. This letter provides that notice, summarizes the steps that must be taken in response, and describes what will happen if One Eye continue to transmit identified traffic, including an FCC order directing all providers immediately downstream from One Eye to block all traffic from One Eye. **Second**, under the safe harbor set forth in section 64.1200(k)(4), any provider may block all traffic from a provider that, when notified by the Commission, fails to effectively mitigate illegal traffic within 48 hours or fails to implement effective measures to prevent new and renewing customers from using its network to originate illegal calls, and under section 64.1200(n)(2) a provider must take steps to effectively mitigate illegal traffic when it receives such notice. This letter provides notice under 64.1200(k)(4) and describes the mitigation steps One Eye must take. **Third**, section 64.6305(e) permits providers to accept calls directly from a gateway provider only if that gateway provider's filing appears in the FCC's Robocall Mitigation Database. As explained below, if One Eye continues to transmit illegal robocalls, the Bureau may initiate proceedings to remove its certification from the database, thereby requiring providers to cease accepting calls directly from One Eye. **Fourth**, sections 64.1200(n) and 64.6305 prescribe various additional obligations for mitigating and preventing illegal robocalls. We remind One Eye that failure to comply with any of these obligations may result in additional enforcement action pursuant to the Communications Act and our rules.⁸

⁴ See 47 U.S.C. § 227(b); 47 CFR § 64.1200(a).

⁵ Letter from Loyaan A. Egal, Chief, FCC Enforcement Bureau, to Prince Anand, CEO, PZ/Illum Telecommunication (Oct. 21, 2022). This letter is available on the Commission's website at <https://www.fcc.gov/robocall-facilitators-must-cease-and-desist>.

⁶ Prince Anand Skype Chat (Oct. 24, 2021) on file at EB-TCD-20-00031678 (Prince Anand Skype Chat). The Skype chat is between “Frank Murphy” and onlywebleads. In the course of the conversation, “Frank Murphy” identifies himself as Prince Anand. *Id.* at June 10, 2021

⁷ *Id.* at Oct. 24, 2021.

⁸ 47 U.S.C. § 503; 47 CFR §§ 64.1200(n), 64.6305.

Notice of Suspected Illegal Traffic Under Section 64.1200(n)(5). This letter is the “Notification of Suspected Illegal Traffic” required by the Commission’s mandatory blocking rules applicable to gateway providers.⁹ One Eye must take the following actions in response to this notice:

1. Promptly investigate the transmissions identified in Attachment A.
2. If One Eye’s investigation determines that One Eye served as the gateway provider for the identified transmissions, block all of the identified traffic within fourteen (14) days of the date of this letter (March 2, 2023) and continue to block the identified traffic as well as substantially similar traffic on an ongoing basis.¹⁰
3. Within fourteen (14) days of the date of this letter (March 2, 2023), report the results of One Eye’s investigation to the Bureau. The report should include a certification that One Eye is blocking the traffic identified in this letter and will continue to do so, and provide a description of One Eye’s plan to identify and block substantially similar traffic on an ongoing basis as required by 47 CFR § 64.1200(n)(5).¹¹ If One Eye’s investigation determined that the identified traffic is not illegal, the report must provide an explanation as to why One Eye reasonably concluded that the identified traffic is not illegal and what steps it took to reach that conclusion. If One Eye determine that it did not serve as the gateway provider for the identified traffic, the report must provide an explanation as to how it reached that conclusion and identify the upstream provider(s) from which One Eye received the identified traffic.¹² One Eye should also take lawful steps to effectively mitigate this traffic.¹³

If One Eye fails to respond to this letter or continue to transmit the traffic identified in Attachment A or traffic that is substantially similar traffic to the traffic identified in Attachment A, we may initiate a proceeding to direct all downstream providers to block One Eye’s traffic.¹⁴ We will publish and release an Initial Determination Order with our findings and provide One Eye with an opportunity to respond if we determine that One Eye failed to satisfy 47 CFR § 64.1200(n)(5).¹⁵ If we determine that One Eye’s response was inadequate or it continues to transmit the traffic identified in Attachment A, or substantially similar traffic, we will publish a Final Determination Order in EB Docket No. 22-174 **directing all**

⁹ 47 CFR § 64.1200(n)(5); *Advanced Methods to Target and Eliminate Unlawful Robocalls, Call Authentication Trust Anchor*, CG Docket No. 17-59, WC Docket No. 17-97, Sixth Report and Order in CG Docket No. 17-59, Fifth Report and Order in WC Docket No. 17-97, Order on Reconsideration in WC Docket No. 17-97, Order, Seventh Further Notice of Proposed Rulemaking in CG Docket No. 17-59, and Fifth Further Notice of Proposed Rulemaking in WC Docket No. 17-97, FCC 22-37, para. 80 (2022) (*Gateway Provider Order*).

¹⁰ 47 CFR § 64.1200(n)(5).

¹¹ *Id.*

¹² *Id.* § 64.1200(n)(5).

¹³ *Id.* If One Eye determines that One Eye is the originating provider, or if the traffic otherwise comes from a source that does not have direct access to the Public Switched Telephone Network, One Eye must promptly comply with section 64.1200(n)(2) of the Commission’s rules by effectively mitigating the identified traffic and reporting to the Enforcement Bureau any steps One Eye has taken to effectively mitigate the identified traffic. *Id.*; *see also id.* § 64.1200(n)(2).

¹⁴ *Id.* § 64.1200(n)(5), (n)(2).

¹⁵ *Id.* § 64.1200(n)(5).

downstream providers to both block and cease accepting all traffic that they receive from One Eye starting 14 days from release of the Final Determination Order.¹⁶

Other Mitigation Requirements Under Section 64.1200(k)(4) and (n)(2). This letter also serves as a notice that One Eye must immediately take certain actions to address the identified apparently illegal traffic in order to avoid downstream providers blocking *all* of One Eye traffic.¹⁷ Specifically, One Eye should:

1. Promptly investigate the transmissions identified in Attachment A.
2. If necessary, “effectively mitigate” the identified unlawful traffic by determining the source of the traffic and preventing that source from continuing to originate such traffic.¹⁸
3. Implement effective safeguards to prevent customers from using One Eye’s network as a platform to originate illegal calls.¹⁹
4. Within 48 hours of the time stamp on the e-mail transmission of this letter, inform the Commission and the Traceback Consortium of steps taken to mitigate the identified apparent illegal traffic.²⁰ If One Eye has evidence that the transmissions identified in Attachment A were legal calls, it should present that evidence to the Commission and the Traceback Consortium.
5. Within fourteen (14) days of the date of this letter (March 2, 2023), inform the Commission and the Traceback Consortium of the steps One Eye is taking to prevent new or renewing customers from using its network to transmit illegal robocalls.²¹ One Eye must also include a declaration attesting to the truthfulness and accuracy of its response under section 1.17 of the Commission’s rules.²² Failure to provide this information within 14 days shall be equivalent to having failed to put effective measures in place.²³

If after 48 hours One Eye continues to route or transmit unlawful robocall traffic from the entities involved in these campaigns, downstream U.S.-based voice service providers may begin blocking all calls from One Eye after notifying the Commission of their decision and providing a brief summary of their basis for making such a determination.²⁴ Furthermore, if after 14 days One Eye has not taken sufficient actions to prevent its network from continuing to be used to transmit illegal robocalls, then downstream

¹⁶ 47 CFR § 64.1200(n)(5)-6). A Final Determination Order may be adopted up to one year after release of the Initial Determination Order. *See* 47 CFR § 64.1200(n)(5)(iii).

¹⁷ *Id.* § 64.1200(k)(4).

¹⁸ *Id.*; *see also id.* § 64.1200(f)(18).

¹⁹ *Id.* § 64.1200(k)(4).

²⁰ *See Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-59, Third Report and Order, Order on Reconsideration, and Fourth Further Notice of Proposed Rulemaking, 35 FCC Rcd 7614, 7630, para. 42 (2020) (*Call Blocking Safe Harbor Report and Order*).

²¹ *See id.* at 7630, para. 43.

²² 47 CFR § 1.17; *see also id.* § 1.16 (describing the format for such declarations).

²³ One Eye is encouraged to reach out to the Commission before the deadline if it anticipates needing more time to execute this step.

²⁴ 47 CFR § 64.1200(k)(4); *Call Blocking Safe Harbor Report and Order*, *supra* note 20, 35 FCC Rcd at 7628-30, paras. 39, 42.

U.S.-based providers may block calls following notice to the Commission.²⁵ **U.S.-based voice service providers may block ALL call traffic transmitting from One Eye’s network if it fails to act within either deadline.** Finally, One Eye may also be subject to additional enforcement penalties, including monetary penalties, for failing to take steps to address illegal robocall traffic on its network as required by the Commission’s rules.²⁶

Additional Consequences Under 64.6305(e) and Other Robocalling Rules. If One Eye fails to take the actions listed above, or knowingly or negligently continue to carry or process illegal robocalls after responding to this letter, it may be subject to additional consequences. **Continued transmission of illegal robocalls following this notice may be used as evidence that One Eye’s certification in the Robocall Mitigation Database is deficient, and the Bureau may initiate proceedings to remove its certification from the database.**²⁷ If One Eye’s certification is removed from the Robocall Mitigation Database, all intermediate providers and terminating voice service providers must immediately cease accepting all of One Eye’s calls beginning on April 11, 2023.²⁸ If the Bureau initiates a proceeding to remove One Eye’s certification from the Robocall Mitigation Database, One Eye will have an opportunity to respond.²⁹

Please direct any inquiries regarding this letter to Daniel Stepanicich, Attorney Advisor, Telecommunications Consumers Division, Enforcement Bureau, FCC, at daniel.stepanicich@fcc.gov or (202) 418-7451; and cc: to Kristi Thompson, Division Chief, Telecommunications Consumers Division, Enforcement Bureau, FCC, at kristi.thompson@fcc.gov. A copy of this letter has been sent to the Traceback Consortium.

Sincerely,

Loyaan A. Egal
Bureau Chief
Enforcement Bureau
Federal Communications Commission

²⁵ 47 CFR § 64.1200(k)(4); *Call Blocking Safe Harbor Report and Order*, *supra* note 20, 35 FCC Rcd at 7628-30, paras. 39, 43.

²⁶ *See* 47 CFR § 64.1200(n)(1)-(4), (o) (prescribing steps voice service providers must take to address and prevent illegal robocalls); *Gateway Provider Order*, *supra* note 9, FCC 22-37, para. 40; (citing *Call Authentication Trust Anchor*, WC Docket No. 17-97, Second Report and Order, 36 FCC Rcd 1859, 1902, para. 83 (2020) (*Second Caller ID Authentication Report and Order*); *see also* 47 U.S.C. § 503 (providing that a forfeiture penalty may be imposed on any person who willfully or repeatedly violates the Commission’s rules).

²⁷ *See Gateway Provider Order*, *supra* note 9, FCC 22-37, para. 40; *see also* 47 CFR § 64.6305(d) (prescribing Robocall Mitigation Database certification requirements for gateway providers).

²⁸ 47 CFR § 64.6305(e). *See Gateway Provider Order*, *supra* note 9, FCC 22-37, para. 44.

²⁹ *Gateway Provider Order*, *supra* note 9, FCC 22-37, para. 40.

ATTACHMENT A

Customer	Call Date & Time	ITG Notification Date	Calling Number	Called Number	Description	Violation
Mavtel Voip	Sep 14, 2022 14:50 UTC	Sep 28, 2022 14:41 UTC			Spoofed-BankNumber	47 USC 227(b); 47 CFR 64.1200(a)
Mavtel Voip	Sep 14, 2022 16:30 UTC	Sep 29, 2022 17:16 UTC			Spoofed-BankNumber	47 USC 227(b); 47 CFR 64.1200(a)
Clevertel	Oct 07, 2022 20:59 UTC	Oct 12, 2022 17:19 UTC			Authorized-Order	47 USC 227(b); 47 CFR 64.1200(a)
Clevertel	Oct 07, 2022 20:38 UTC	Oct 12, 2022 16:42 UTC			Authorized-Order	47 USC 227(b); 47 CFR 64.1200(a)
Clevertel	Oct 07, 2022 20:00 UTC	Oct 12, 2022 16:41 UTC			Authorized-Order	47 USC 227(b); 47 CFR 64.1200(a)
Clevertel	Oct 07, 2022 17:05 UTC	Oct 12, 2022 16:40 UTC			Authorized-Order	47 USC 227(b); 47 CFR 64.1200(a)
Clevertel	Oct 07, 2022 16:59 UTC	Oct 12, 2022 16:39 UTC			Authorized-Order	47 USC 227(b); 47 CFR 64.1200(a)
Clevertel	Oct 07, 2022 16:45 UTC	Oct 12, 2022 16:42 UTC			Authorized-Order	47 USC 227(b); 47 CFR 64.1200(a)
Mavtel Voip	Oct 21, 2022 20:16 UTC	Oct 27, 2022 14:55 UTC			Authorized-Order	47 USC 227(b); 47 CFR 64.1200(a)
No Response	Oct 21, 2022 13:41 UTC	Oct 28, 2022 14:37 UTC			Authorized-Order	47 USC 227(b); 47 CFR 64.1200(a)
No Response	Oct 20, 2022 20:07 UTC	Oct 28, 2022 14:38 UTC			Authorized-Order	47 USC 227(b); 47 CFR 64.1200(a)
Mavtel Voip	Oct 20, 2022 16:26 UTC	Oct 26, 2022 17:00 UTC			Authorized-Order	47 USC 227(b); 47 CFR 64.1200(a)
Mavtel Voip	Oct 19, 2022 18:52 UTC	Oct 27, 2022 14:53 UTC			Authorized-Order	47 USC 227(b); 47 CFR 64.1200(a)

No Response	Nov 02, 2022 19:09 UTC	Nov 05, 2022 00:46 UTC			Authorized-Order	47 USC 227(b); 47 CFR 64.1200(a)
No Response	Nov 02, 2022 18:59 UTC	Nov 04, 2022 22:00 UTC			Authorized-Order	47 USC 227(b); 47 CFR 64.1200(a)
No Response	Nov 02, 2022 18:38 UTC	Nov 04, 2022 18:23 UTC			Authorized-Order	47 USC 227(b); 47 CFR 64.1200(a)
No Response	Nov 01, 2022 21:09 UTC	Nov 04, 2022 16:06 UTC			Authorized-Order	47 USC 227(b); 47 CFR 64.1200(a)
No Response	Nov 01, 2022 20:41 UTC	Nov 04, 2022 18:36 UTC			Authorized-Order	47 USC 227(b); 47 CFR 64.1200(a)
No Response	Nov 01, 2022 16:50 UTC	Nov 04, 2022 18:35 UTC			Authorized-Order	47 USC 227(b); 47 CFR 64.1200(a)