



United States of America
FEDERAL TRADE COMMISSION
East Central Region

1111 Superior Avenue, Suite 200
Cleveland, Ohio 44114
(216) 263 3455

Jon Miller Steiger
Director

March 17, 2023

CEASE AND DESIST DEMAND

VIA EMAIL TO:

steven.augustino@nelsonmullins.com

Business Telecommunications Services, Inc.
Rafael Olloqui, CEO
2620 SW 27th Avenue
Miami, FL 33133
c/o Steven Augustino, Registered Agent

We have determined that Business Telecommunications Services, Inc. is apparently routing and transmitting illegal robocall traffic, directly or indirectly, for entities involved in the following campaigns:

- € Amazon-AuthorizeOrder
- € Amazon-AuthorizeOrder-P3
- € Amazon-SuspiciousCharge-P1
- € Chinese-ExpressReturn
- € Chinese-PackageDelivery
- € Financial-Impers-4
- € LegalDept-Action-P1
- € SSA-P1-TexasFraud (GovtImpers)
- € Utility-30MinDisconnect

More specifically, our investigation revealed that Business Telecommunications Services, Inc. apparently routed and transmitted illegal robocalls, as set forth in Attachment A.

The Federal Trade Commission (FTC) works closely with USTelecom's Industry Traceback Group (ITG), which is the registered industry consortium selected pursuant to the TRACED Act to conduct tracebacks.¹

customers of YouMail had flagged as illegal robocalls made without consent of the called party.² ITG conducted tracebacks and determined that Business Telecommunications Services, Inc. routed and transmitted the calls. ITG previously notified you of these calls and provided you access to supporting data identifying each call—including a recording of the illegal robocall—as indicated in Attachment A. Further, the numerous traceback notices directed to Business Telecommunications Services, Inc. indicate that you are apparently routing and transmitting illegal robocall traffic knowingly. **IF YOU ARE ENGAGED IN THESE ACTIVITIES, THEN YOU MUST IMMEDIATELY CEASE AND DESIST FROM ENGAGING IN THEM.**

The FTC, the nation’s consumer protection agency, enforces the Federal Trade Commission Act (FTC Act), 15 U.S.C. § 45 et seq., which prohibits unfair or deceptive acts or practices in or affecting commerce. The FTC also enforces the Telemarketing Sales Rule (TSR), 16 C.F.R. Part 310, which prohibits deceptive and abusive telemarketing practices. Section 310.3(b) of the TSR prohibits “assisting and facilitating” certain specified conduct.³ Under that provision, it is unlawful for any person or entity to “provide substantial assistance or support to any seller or telemarketer when that person knows or consciously avoids knowing that the seller or telemarketer is engaged in any act or practice that violates Sections 310.3(a), (c), or (d), or Section 310.4 of this Rule.” These Sections prohibit, among others, the following conduct:

- € Making a false or misleading statement to induce any person to pay for goods or services or to induce a charitable contribution (16 C.F.R. § 310.3(a)(4));
 - € Misrepresenting a seller or telemarketer’s affiliation with any government entity (16 C.F.R. § 310.3(a)(2)(vii));
 - € Transmitting false or deceptive caller ID numbers (16 C.F.R. § 310.4(a)(8));
 - € Initiating or causing the initiation of calls that deliver prerecorded messages,⁴ unless the person called provided the seller express written permission to call (16 C.F.R. § 310.4(b)(1)(v)); and
 - € Initiating or causing the initiation of telemarketing calls to numbers listed on the National Do Not Call Registry, unless the person called provided express written permission to receive calls from the seller or the seller had an existing business relationship with the person called (16 C.F.R. § 310.4(b)(1)(iii)(B)).
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August 2020, a federal district court entered a permanent court order barring the defendants from conveying telephone calls into the U.S. telephone system.¹¹ State cases have had similar impacts.¹²

Within three business days, please send a message to FTC attorneys Fil Maria de Banate and Christian M. Capece, via electronic mail at fdebanate@ftc.gov and ccapecce@ftc.gov, certifying that Business Telecommunications Services, Inc. has ceased engaging in the activities described above that may subject it to liability under the TSR or the FTC Act. Please direct any inquiries regarding this letter to Mr. de Banate and Mr. Capece by email or by telephone at 216.263.3413 or 216.263.3419.

Sincerely,

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D...: 2023.03.17
12:52:35 -04 00

Jon Miller Steiger
Director
