

May 7, 1992

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Office of The Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

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MAY 11 1992

Subject: "Comments" in the Matter of  
The Telephone Consumer Protection Act of 1991  
CC Docket No. 92-90

Federal Communications Commission  
Office of the Secretary

1. I am: Carl O. Buhlman; residing at : 9104 Erfurt Ct., Laurel, Maryland 20708. Representing only myself, I hereby respond to the subject notice of proposed rulemaking, i.e., FCC 92-176, 38385 (4/17/92).
2. My purpose in responding is to ask the Commission to establish (and enforce) a set of rules which will protect my privacy rights to avoid receiving telephone solicitations to which I object. Specifically, in my case: all telephone solicitations.
3. Your "notice" points out that residential telephone subscribers may bring action in an appropriate state court for violation of Commission rules. Given the high cost of legal proceedings I view this as no remedy at all; I would like the FCC to offer more direct relief.
4. As I see it, the issue is to balance my privacy rights against "public safety interests, and commercial freedoms of speech and trade". I am only a layman in this area but I seem to recall that our U. S. Constitution clearly protects my right to privacy but mentions nothing about "commercial freedoms" impinging upon it.
5. The aspect of "non-commercial calls", i.e.: civic institutions, political campaigns, local government, etc., is no different. How much simpler can it get...its my telephone, I'm paying for the service, and I don't want to be bothered! Its easy to see how quickly this could get out of hand, especially during election season. As for "emergency notification", I would hate to see anyone relying on the telephone for that, it could be disastrous.
6. I notice that special consideration is granted to "the telephone line of any guest room or patient room of a hospital, health care facility, elderly home, or similar...." Why can't the sick or elderly in my own home be granted the same consideration? There are circumstances where the nuisance call can compromise my health and safety (see below).
7. My aged mother lives alone, blind in one eye and not very agile. She tends to race for the phone at every call thinking it to be a family emergency. Whose fault is it if she falls and is injured? What about my son who must work nights and sleep in the daytime, yet needs to be in touch with his job and with his family. How do you balance "commercial freedom" against his emotional well-being?

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8. There must be a way to turn this off and its not fair to penalize the residential subscriber for any costs incurred. By their own admission, we are talking about a \$435 Billion business, surely they can afford to finance a "solution". Our high-technology communications industry is certainly capable of providing a workable result.
9. I contacted the phone company about getting an unlisted or an unpublished number. There is a monthly charge for this (which I resent); and furthermore, I was told the phone company publishes cross-indexes by street address (which may include my number). These are sold to telemarketers and to others without my consent.
10. And then there is the outright abuse committed by some telemarketers. I was recently called early Saturday morning by a salesman for AT&T Security Systems. I hung up but was immediately called back and yelled at for not listening to the pitch. Some weeks later I got another call from AT&T Security Systems and hung up on them as well. This time they called back and blew a loud whistle in my ear. Now I'm sure AT&T will deny any responsibility for what their representatives are doing; but the fact is that someone needs to stop it.
11. I would like the FCC to implement and enforce some automatic means by which I can deny access to all solicitations, for whatever purpose, and to have those solicitors pay for this "means" by licensing or other fees. I fear the "nuisance" aspect has not even matured yet and one of my Civil Rights is coming in jeopardy.
12. All of my friends, family, and business associates have similar feelings and I suspect the public mood is stronger than you realize. Its time to stand up; I am available if you require further testimony.

Very truly yours,

A handwritten signature in black ink, appearing to read 'C O Buhlman', written in a cursive style.

Carl O. Buhlman