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MAY 15 1992

Federal Communications Commission
Office of the Secretary

FORMAL COMMENTS
TO THE
COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

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ORIGINAL
FILE

In the matter of
Notice of Proposed Rule Making
The Telephone Consumer Protection
Act of 1991

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CC Docket No. 92-90

I. INTRODUCTION

I currently purchase, restore, and preserve antiques and historical items. From time to time I have used automatic dialing services to locate these items. The approach has proved effective in locating items to be preserved, especially items which otherwise would have fallen into a state of decay or loss, as the owner did not realize their significance and had them stored in a damp basement, leaky garage, etc.

Not only was I pleased for the opportunity to save these items, but so were the owners, especially when they received payment. I have received many "thank you's" and call backs on items from friends and neighbors. I remember one case in particular of a wheelchair-bound lady who was about to lose her home due to back real estate taxes. She responded to my call and after my visit was able to pay her taxes and save her home.

II. VALUE TO SOCIETY

The value to our society in preserving historical items is easily demonstrated by our many national, state, local and private museums and institutions. They have a large public attendance and interest. They also provide, through their preservation efforts, education directly to the public and by assisting schools and other educational institutions.

I do not feel that using automated telephone services in this manner adversely affects privacy due to the benefits provided to society with regard to preservation and education and due to the financial benefits received by individuals from payments received.

III. EQUIPMENT USED

All equipment used has been "state of the art" that disconnects when the called party hangs up or the line is answered by a telephone answering machine. Also, numbers to be called are individually programmed to avoid calling emergency numbers, hospitals, doctors, private business, etc. At no time have I allowed random calling.

IV. OTHER OPTIONS

I have experimented with live operators in the past, however, the higher cost is prohibitive. Also, some of those being called objected as they thought the caller was "casing their home" for a future burglary. The pre-recorded

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message allows the called party the privacy of not being questioned on household possessions, address, etc., before they are aware of the purpose of the call, and the identity of the caller.

V. SUMMARY

- This is a call to purchase, not to sell.
- The purchase and preservation of antiques and historical items is in the public interest with regard to understanding history and for education and therefore does not adversely affect privacy.
- Many items found through this approach would otherwise be lost as the current owner does not understand their significance and is, therefore, allowing them to be destroyed.
- The number of calls placed is limited, as this is basically a "one time only" event for each individual and only older areas of cities, etc., generally have such items.
- Many individuals have benefited from payments received.
- The use of live operators is cost prohibitive and not effective.
- Recipients of this category of call prefer to receive an automatic call for reasons of privacy.

VI. CONCLUSION

After review of The Proposed Rule Making released by the Federal Communications Commission April 17, 1992, I believe the purchase of antiques and historical items to be included in the exemption for commercial messages that do not seek to sell a product or service and do not tread heavily upon privacy concerns.

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