



**PIERCE-PEPIN**  
**Electric** COOPERATIVE

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May 22, 1992

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Ms. Donna R. Searcy  
Secretary  
Federal Communications Commission  
1919 Main Street, N.W.  
Washington, DC 20554

Federal Communications Commission  
Office of the Secretary

FCC MAIL BRANCH

Dear Ms. Searcy:

I am writing to provide the comments of Pierce-Pepin Electric Cooperative concerning the Notice of Proposed Rulemaking "In the Matter of The Telephone Consumer Protection Act of 1991", CC Docket No. 92-90.

Pierce-Pepin Electric Cooperative is a consumer-owned electric cooperative that provides electric service to 5,000 people located in four counties in Wisconsin. Pierce-Pepin Electric Cooperative has an average density of six consumers per mile of line.

Pierce-Pepin Electric Cooperative has been using an automatic telephone dialing system for the past four years. We strongly believe that the automatic telephone dialing system allows us to better serve our consumers. Uses for this automatic telephone system are:

- to contact members for planned outages due to construction and maintenance line work
- to contact members for cooperative meetings and functions
- as a reminder tool for contacting directors regarding cooperative meetings
- to contact members when an error is detected on their energy account

We strongly support the approach taken by the FCC in this Notice of Proposed Rulemaking. The FCC has recognized that there are many valuable uses of automatic telephone dialing systems that do not adversely affect the privacy rights that the Telephone Consumer Protection Act (TCPA) seeks to safeguard. Specifically, we support FCC's decision to grant exemptions in the case of calls:

- that are not made for a commercial purpose;

Ms. Donna R. Searcy  
Page 2  
May 22, 1992

- that are made for a commercial purpose, but do not include the transmission of any unsolicited advertising;
- to any person with whom the caller has a current (or had a prior) business relationship (including calls made for debt collection); and
- by a tax exempt nonprofit organization.

We also agree with the FCC's position that the exemption included in the TCPA for "emergency" calls should be interpreted in a broad manner to include calls made to inform consumers of power outages, power interruptions, load management programs, and similar situations.

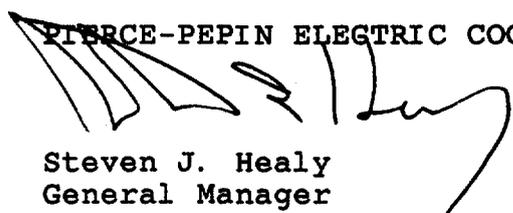
We believe that the Notice of Proposed Rulemaking will allow beneficial uses of automatic telephone dialing systems to continue. This is fully consistent with the intent of the TCPA which was intended to prevent intrusive telephone solicitation that attacks the privacy rights of individuals.

We respectfully request that you expeditiously issue a final rule to implement the TCPA, and that this final rule incorporate the exemptions that have been wisely included in the Notice of Proposed Rulemaking.

We appreciate the constructive approach taken by the FCC. There is no doubt that this proposed rule is in the best interest of the rural consumers served by Pierce-Pepin Electric Cooperative.

Sincerely,

PIERCE-PEPIN ELECTRIC COOPERATIVE



Steven J. Healy  
General Manager

SJH:lmw