

October 31, 2017

Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Room TW-A325
Washington DC 20554

Re: CG Docket No.: 02-278 – Comment on Credit Union National Association Petition for Declaratory Ruling under the Telephone Consumer Protection Act of 1991

Dear Ms. Dortch:

Bellco Credit Union (“Bellco”) is pleased to submit this comment letter in support of the Credit Union National Association (“CUNA”) Petition for Declaratory Ruling under the Telephone Consumer Protection Act of 1992 (the “Petition”).

For the many reasons stated in the Petition, Bellco is strongly in favor of an established business relationship (“EBR”) exemption for all “informational calls” (as that term is defined in the Petition) between credit unions and its members that are currently prohibited under 47 CFR §64.1200(a)(1)(iii) without prior express consent. Bellco also agrees with CUNA that credit unions have a unique relationship with our members, since our members “own” the credit union. As a not-for-profit cooperative, establishing a business relationship with a credit union is much more than just establishing a customer-merchant relationship; members can take an active role in how the credit union is managed, because members have a vote in the bylaws and make-up of the Board. This important distinction is the focal point of the mission of every credit, which is to serve our members.

As CUNA points out, 47 CFR §64.1200(a)(3) currently exempts information calls from the prohibition of initiating a call to any residential line using an artificial or prerecorded voice to deliver a message without prior express consent. Information calls (including text messages) should also be exempt from calls made to a cell phone using an automatic telephone dialing system or an artificial or prerecorded voice.

With regards to the alternative approach of exempting calls made to cell phones where the call (including text messages) are not charged, Bellco believes this exemption should be extended to the concept of reassigned wireless telephone numbers. Under the Declaratory Ruling and Order dated July 10, 2015, the Commission only authorized one call to reassigned wireless telephone numbers regardless of the outcome of the call (e.g., the call drops or the subscriber never answers). For calls meant for a subscriber for whom we either have an established business relationship (per the argument above) or prior express consent, any calls to a reassigned number where the person being

called is not charged for the call should be exempt from this one-call requirement, until such time as the caller has reason to believe the number has been reassigned. The exemption would apply as described by CUNA in the Petition (i.e., the call is in fact free to the subscriber, regardless of whether or not the caller could ensure the call was free). Bellco agrees that a “free” call is one in which there is no per call or per text charge or, consistent with previous Commission rulings, as long as the call or text does not count against the recipient’s wireless plan’s free bucket of minutes or texts.

In conclusion, Bellco appreciates the opportunity to submit these comments in support of the Petition, and Bellco would welcome the opportunity to discuss these issues with the Commission staff. Please feel free to contact me if you have any questions or would be interested in discussing these comments in more detail.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Juan Carlos Campos', is written over a horizontal line.

Juan Carlos Campos, Esq.
General Counsel