

March 15, 2019

**TRANSMITTED VIA E-FILING (ECFS)**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W., Room TW-A325  
Washington, D.C. 20554

Mitchell N. Roth  
Tysons Corner Office  
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**Re: Comments of the American Customer Communication Association to the  
Petition for Expedited Declaratory Ruling Filed by Northstar Alarm  
Services, LLC  
CG Docket No. 02-278, DA 19-74**

Dear Ms. Dortch,

On behalf of the American Customer Communication Association (“ACCA”), we respectfully submit these comments in response to the Commission’s Public Notice issued by the Consumer and Governmental Affairs Bureau seeking public comment on the Petition for Expedited Declaratory Ruling filed by Northstar Alarm Services, LLC.

ACCA is a trade association focusing on public advocacy on issues affecting how businesses may lawfully and effectively contact their consumers using all channels of communication, while mindfully protecting the privacy interests of consumers. ACCA is committed to advocating for high standards of quality by its members and protecting consumers from scams and from those who seek to infringe impermissibly on their privacy.

ACCA is in general support of the arguments raised by Northstar Alarm Services, LLC and strongly encourages the Commission to rule swiftly in order to “provide certainty and clarity to the industry, to prevent conflicting judicial rulings, and to protect the development of technological advancements that have tremendous public interest benefits to consumers as well as to the economy.” Petition for Expedited Declaratory Ruling by Northstar Alarm Services, LLC, CG Docket No. 02-278 (Jan. 2, 2019) at 1.

ACCA agrees that soundboard technology does not constitute the use of an artificial or prerecorded voice delivering a pre-recorded message as proscribed by the TCPA, as this technology was not contemplated by Congress when it enacted the TCPA in 1991. Indeed, as the D.C. Circuit noted in *ACA International v. FCC*, 885 F.3d 687, 699 (D.C. Cir. 2018), “Congress need not be presumed to have intended the term[s] of the TCPA] to maintain [their] applicability to modern phone equipment in perpetuity, regardless of the technological advances that may render them increasingly inapplicable over time.” ACCA incorporates and endorses the review of the TCPA’s legislative history contained in Northstar’s petition. Northstar Petition at 8-10.

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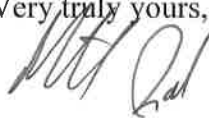
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Importantly, ACCA further notes that soundboard technology enables call centers to offer employment to a wide range of disabled individuals who traditionally could not otherwise work in call centers. The sophisticated technology accommodates certain disabled individuals by providing them with tools necessary to perform the essential duties of call center jobs, thereby opening the doors to a profession that was previously unavailable to them and by providing them with meaningful employment opportunities.

In conclusion, ACCA respectfully suggests that the Commission grant the relief sought by Northstar in its petition.

Very truly yours,

A handwritten signature in dark ink, appearing to read "M. Roth", is written over the typed name.

Mitchell N. Roth

MNR:mmi



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