

Reference: 17-19

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Note: Due to internet publication, direct contact information is removed from the comments due to personal safety issues. Personal references and location information that could lead to the identification of an individual at risk and possible elder abuse. I am taking the risk of these comments not being accepted to mitigate any potential harm but I feel this input to be important to your consideration.

Comments as a whole:

Direct-to-Voice-Mail is the equivalent of a federally approved hostage and computer breach event. For a comparison to a non-computer event: If someone knocks on your door, you can refuse to answer it. If they break down the door because you refuse to answer it, you can call the police and have them arrested. Direct to Voice Mail removes any control over who you let in, and then have to pay the bill whatever it is. Can't say no and can't go to law enforcement.

Background for current phone use, specific real life example:

I have a total of 5 phone lines, all on the Do-Not-Call List (DNCL). The main issue being due to lack of control and enforced of the list by the federal government, it is a non-viable system. Consequently, the only controls I have with incoming phone calls are those I put in place on my own phones.

The primary phones are 2 land-lines. Since these are the primary, they have unlimited call packages with an answering machine on each. Calls received on these lines have no increased costs regardless of calls received or made.

I have 3 cell phones: for myself, another family member and an elderly parent. They are all secondary phones, used mostly for emergency purposes due to an elderly parent. A safety pendant is being added to the phone my elderly parent carries at all times. The majority of the cell calls are related to care, support and medical needs.

I have maintained the 2 land-lines (aka "copper-pair) for the majority of personal business and communications due to massive amount of radio / cellular and other interference in the local areas airwaves. Non-hardwire communication is not always possible. But cell communication is necessary due to travel and other circumstances that remove me from the area of the land-line. Cell is necessary, but all cellular communications is not reliable for 100% use.

Since the cell phones are secondary phones, I have a minimum minute package with pay-per-text. For every minute over the package, costs and fees are about 50 cents per minute with each text message 25 cents per message. All other unnecessary features are turned off (no internet, no downloads, etc.) Most months there are no overage costs, sometimes its \$3.00 to \$8.00 dollars which are affordable when the need arises. Total overages run about \$25.00 per year.

Again, these are secondary, limited use phones: the numbers are only given out to a minimal number of people for essential / emergency communication.

To have an unlimited package it would have to be on all the cell phones on the package, the cost increase is exponentially: about \$50 per line or \$150 per month or \$1,800 per year. So paying overages on a per-minute/ per- text fee is currently the most cost effective.

As opposed to land-lines with the cell phones, there is no answering machine and no free voice mail. As per minute use costs have to be paid.

The main problem is with the cell phones because of the pay-per-minute costs and lack of DNCL enforcement: The user pays for all cell minutes: calls received, message read, voice mails processed. With lack of enforcement, the marketers

are out of control. The FCC has ignored the self-funding portion of the law with the \$2,500 per penalty not being enforced or collected.

- Currently, with a direct to cell phone calls, I have some control options to control my costs:

1) Caller ID and my phone identify anyone on my caller list that identifies, including a verbal hands free feature. I then have the option to answer or let it go to voice mail. I use this option mostly in situations where it is not safe to immediately answer the call such as in as distracted driving event

2) If they are not on the list and not identified, I can choose to answer it (and tell them to remove me from the list) or send it to voice mail. Depending on the situation, I may answer the call if they are not on the list because it is within the exchange (such as the hospital) or a number I recognize and needs to be added to my caller list.

Even if I answer a questionable call, I can control the length and content of the call (such as don't call back) to minimize the costs per call to under 1 minute. If it's a robo-call, they usually just hang up if it goes to voice mail.

3) If it's unidentified, I can refuse to answer (even hands-free), not let it go to voice mail and add to my blocked call list at a later time since the number is in my phone's memory. Unwanted / blocked callers have gotten past this feature by calling from different numbers. With one company, they tried from 5 different numbers until they gave up. But in no situation was there any out of pocket cost for me.

Most of the overage costs are when the call goes to voice-mail include: 1) The minutes for the original call, 2) the minutes of processing time to listen and/or delete it and 3) if you want to have your number removed from the marketers list, I have the option to call them back. This usually will take a couple of minutes to get them back through the electronic systems. Overall cost is about \$1.00 per minute (or any part of a minute) plus the couple of minutes to return the call to have the number removed from their list.

Even with Do-Not-Call-List lack of enforced, I can keep my costs to \$1.00-\$2.00 dollars per month or less than \$25.00 per year.

What would happen if Direct-to-Voice Mail was allowed?

If Direct-To-Voice-Mail was allowed, I would no longer have control over the calls or any cost control options. I would be force to go to an unlimited plan at the cost of \$1,800 per year. Yes, that is One Thousand, Eight Hundred Dollars, not a decimal error.

Actual examples to support this:

1) Last year my cell phone's battery was dead and one call went to voice mail. I didn't know it came in so I couldn't block it. It was from a marketer and over 12 minutes long because it got caught in a loop. Since there was no customer responses, it kept going over "Press one for... Press two for.." It would have been longer but my cell phone company's system did a time limited cut-off. The call costs were over \$15 dollars. It flagged my account and I was able to contact the cell phone company. In this case, the phone company credited the bill.

Then...

2) Last month I received three (3) Direct-to-Voice Mail calls then 2 text message follow ups. I didn't have the opportunity to refuse or block the calls. My out-of-pocket costs for these calls were over \$5.00 and the phone company would not credit.

Because I could previously control the call, I stopped at least 20 unidentified calls that came to my phone. So, the lack of enforcement only cost me up to \$25.00 per year. This hurts the budget but I have little choice and is manageable. At least I am able to stop the calls and control costs.

Results:

If Direct-to-Voice-Mail is allowed: based on the currently uncontrolled calls I am getting on my land lines, my cell phone numbers could be pushed out anywhere adding 5-10 calls per day. At \$2-3 dollar per call, averaging 24 calls per month, this would be overage costs of about \$55 - \$70 per month per line. The Direct-to-Voice-Mail feature would force me into unlimited plans at \$1,800 per year; my only other option to control costs since I can't control the calls or get rid of the cell phones which is not a reasonable alternative.

In conclusion:

To allow Direct-To- Voice-Mail calls the FEDERAL GOVERNMENT is basically authorizing legal hacking: to by-pass phone company's computer systems, hacking the software on my personal phones and allow hostage control over my phone bill. I don't pay, my phones get shut off. All with the advantage of the consumer not be able to contact law enforcement and prosecute.

Thank you for your time.