

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of

Consumer Bankers Association, Petition for  
Declaratory Ruling

Rules and Regulations Implementing the  
Telephone Consumer Protection Act of 1991

CG Docket No. 02-278

**Supplemental Reply Comments of Robert Biggerstaff on the Petition for Declaratory  
Ruling of the Consumer Bankers Association**

Robert Biggerstaff submits these comments in response to the Reply Comments of the United Healthcare Services, Inc., on the CBA Petition.<sup>1</sup>

United Healthcare's reply comments<sup>2</sup> claim:

Congress did not intend for the TCPA to require organizations to continuously maintain third-party services to protect against potential class action liability for non-telemarketing, informational calls.

Of course, this statement is manifestly false. As the Commission is well aware, using Neustar's wireless number identification service<sup>3</sup> has been part-and-parcel of standard practices in the teleservices industry for over a decade in order to identify ported cell phone numbers for anyone making autodialed or prerecorded "informational" calls. Such

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1. *Consumer Bankers Association, Petition for Declaratory Ruling*, GC Docket No. 02-278 (filed Sept. 19, 2014) ("Petition"); *Public Notice*, DA 14-1511 (Oct. 17, 2014).

2. *Reply Comments of United Healthcare Services, Inc.*, at 11 (dated Dec. 1, 2014).

3. See 19 FCC Rcd. 19215 ¶7 (Sep. 21, 2004), implementing Neustar's "Intermodal Ported TN Identification Service" as the authoritative test for the safe harbor for autodialed and prerecorded calls to ported wireless numbers.

minimal obligations are appropriate to protect consumer “bystanders” when these commercial entities are reaping the advantages of (claimed) reduced-cost from automated-calling technologies.

Respectfully submitted, this the 6<sup>th</sup> day of December, 2014.

*/s/ Robert Biggerstaff*