

June 11, 2015

File Number: 0YYE-207177

VIA ELECTRONIC DELIVERY

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: Notice of *Ex Parte* Presentations
CG Docket No. 02-278

Dear Ms. Dortch:

On June 9, 2015, the undersigned and Douglas Svor of Sheppard Mullin LLP, counsel to Rite Aid Hdqtrs. Corp. (“Rite Aid”) met with Amy Bender, Legal Advisor to Commissioner Michael O’Rielly, to discuss the American Association of Healthcare Administrative Management’s (“AAHAM”) pending petition before the Commission.¹ The parties also discussed Chairman Wheeler’s proposed Declaratory Ruling on Telephone Consumer Protection Act-related (“TCPA”) issues.²

On June 10, 2015, the undersigned and Douglas Svor met with Mark Stone, John Adams, Alison Kutler, Kurt Schroeder, Aaron Garza, and Kristi Lemoine of the Consumer & Governmental Affairs Bureau, as well as Nicholas Degani, Legal Advisor to Commissioner Ajit Pai, to discuss these same issues. On June 11, 2015, the undersigned and Douglas Svor also met with Travis Litman and Jennifer Thompson from the office of Commissioner Jessica Rosenworcel to discuss these matters.

At these meetings, Rite Aid reiterated its support for the AAHAM Petition. Rite Aid also expressed its concerns with regard to some of the proposals outlined in the TCPA Fact Sheet, including the issue that (i) the exemptions potentially allowed for “urgent circumstances” may

¹ American Association of Healthcare Administrative Management, *Petition for Expedited Declaratory Ruling and Exemption*, CG Docket No. 02-278 (filed Oct. 21, 2014) (the “AAHAM Petition”).

² See *Fact Sheet: Wheeler Proposal to Protect and Empower Consumers Against Unwanted Robocalls, Texts to Wireless Phones* (rel. May 27, 2015), available at http://transition.fcc.gov/Daily_Releases/Daily_Business/2015/db0527/DOC-333676A1.pdf (“TCPA Fact Sheet”).

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not be broad enough to encompass many critical healthcare communications, including vaccination reminders and (ii) the proposed “one call” standard for reassigned numbers may not provide any relief from vexatious litigation to companies – such as Rite Aid – who are otherwise complying with the TCPA’s applicable restrictions.

Pursuant to Section 1.1206(b)(2) of the Commission’s rules, I am filing this notice electronically in the above-referenced docket. Please do not hesitate to contact me with any questions.

Very truly yours,

/s/ Brian D. Weimer

Brian D. Weimer
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

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