

COMMENT ON PETITION FOR DECLARATORY RULING FILED BY JOSEPH
T. RYERSON & SON, INC., CG Docket No. 02-278 and CG Docket No. 05-338

I oppose the petition. First, “digital” faxes are covered by the plain language of the statute, and may therefore be made exempt only by legislation; not by regulation or any other agency action. Relatedly, faxes are not governed by the CAN-SPAM Act, and thus legislation would be required in order to make them governed by it.

Second, “digital” faxes take up the recipient’s time just like paper faxes.

Third, there are digital-fax services that contain limits, such as monthly limits, after which additional faxes cannot be received, or can be received only upon payment of additional fees. The receipt of unwanted faxes contributes to the reaching of such limits.

Todd Bank