

April 7, 2016

**VIA ECFS**

Marlene H. Dortch  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, D.C. 20554

Re: Notice of Ex Parte Presentation  
*Petition of Broadnet Teleservices LLC for Declaratory Ruling*  
CG Docket No. 02-278

Dear Ms. Dortch:

On April 5, 2016, the undersigned, as outside counsel to Broadnet Teleservices LLC (“Broadnet”), spoke via telephone with Diane Cornell, Special Counsel to Chairman Wheeler, and Mark Stone, Deputy Chief of the Consumer and Governmental Affairs Bureau. During the call, I urged prompt action on, and reiterated the points made in, Broadnet’s Petition for Declaratory Ruling (“Petition”)<sup>1</sup> in the above-referenced proceeding. Specifically, I requested that the Commission declare that the plain language of the Telephone Consumer Protection Act (“TCPA”) demonstrates that the statute does not apply to calls made by government entities *at all levels of government* and that the Commission should confirm that the TCPA and the Commission’s TCPA rules do not apply to federal, state, and local government entities and those acting on their behalf.

I reiterated the points made in Broadnet’s February 29, 2016 notice of *ex parte* presentation, which explains that, consistent with the Supreme Court’s decision in *Campbell-Ewald v. Gomez* and other judicial decisions, not only does the TCPA not apply to the federal government, it also does not apply to state and local government entities.<sup>2</sup>

Please do not hesitate to contact the undersigned with any questions.

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<sup>1</sup> Petition for Broadnet Teleservices LLC for Declaratory Ruling, CG Docket No. 02-278 (filed Sept. 16, 2015) (“Petition”).

<sup>2</sup> See generally Notice of Ex Parte Presentation of Broadnet Teleservices LLC, CG Docket No. 02-278 (filed Feb. 29, 2016).

WILKINSON ) BARKER ) KNAUER ) LLP

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Sincerely,

/s Patrick Halley/  
Patrick R. Halley