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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Rules and Regulations Implementing the)
Telephone Consumer Protection Act of 1991)

CG Docket No. 02-278
CC Docket No. 92-90

**COMMENTS
OF
SPRINT CORPORATION**

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COMMENTS OF SPRINT CORPORATION

Sprint Corporation, on behalf of its local, long distance, and wireless divisions, hereby respectfully submits its comments in response to the Notice of Proposed Rulemaking released September 18, 2002 (FCC 02-250) in the above-captioned proceeding.

I. INTRODUCTION AND SUMMARY.

In this proceeding, the Commission has requested comment on whether or how it should revise its rules that restrict telemarketing calls and unsolicited faxes. Sprint fully supports the goal of avoiding telemarketing calls to consumers who do not wish to receive such calls; such calls are not only annoying to the consumer, but also costly and unproductive for Sprint. Sprint accordingly devotes considerable resources to maintaining an up-to-date and comprehensive internal do-not-call (DNC) list, which we believe is accurate and effective. In the absence of record evidence that the company-specific DNC approach is ineffective, or that there are widespread violations of the Commission's existing telemarketing rules, Sprint urges the Commission to avoid adoption of costly and onerous new telemarketing requirements. Instead, the

Commission should direct its resources to enforcement activity targeted at companies that it suspects or knows are in violation of existing rules.

The Commission has also requested comment on whether to revisit the option of establishing a national DNC list (NPRM, para. 49). Sprint is concerned that the costs of implementing and maintaining a national DNC database may outweigh the benefits of such an approach. However, if the Commission does conclude that a national DNC database is in the public interest, it should also specify that such national database will replace any state-specific DNC lists. Furthermore, rather than establishing an entirely new national DNC database, the Commission should consider expanded use of an existing, national database administered by the Direct Marketing Association (DMA).

II. SPRINT'S DNC EFFORTS ARE EFFECTIVE, AND IMPOSITION OF ADDITIONAL TELEMARKETING SAFEGUARDS IS UNWARRANTED.

In the instant NPRM (para. 14), the Commission has asked whether the company-specific do-not-call approach is effective at “providing consumers with a reasonable means to curb unwanted telephone solicitations.” If the company-specific approach does not accomplish this goal, the Commission then asks what additional measures should be adopted to help consumers avoid unwanted telemarketing calls.

Sprint has in place extensive controls and procedures to help ensure that we do not call consumers who have indicated that they do not wish to receive such calls, and we believe that our efforts have been effective. Because the company-specific approach appears to be effective, the Commission should not adopt onerous new restrictions on telemarketing activity.

A. Sprint's DNC Efforts are Effective.

As required by Section 64.1200(e)(iii) of the Commission's rules, Sprint maintains an internal DNC list which we believe is accurate and effective. Our list is updated weekly based on direct contacts with consumers; downloads from all of the DNC lists currently maintained by various states; and downloads from the Direct Marketing Association's (DMA) DNC database. Sprint adds thousands of numbers to its DNC database each month, and our consumer database currently includes approximately 10 million records. Before Sprint provides a list of prospective customers to our telemarketing representatives (both employees and third party vendors), it is "scrubbed" against our corporate DNC list to ensure that it does not include consumers who have previously indicated that they do not wish to receive calls from Sprint.'

Besides maintaining a DNC database, Sprint also complies fully with the other requirements set forth in Section 64.1200 of the Commission's Rules. In addition, Sprint voluntarily complies with the telemarketing and privacy standards established by the DMA.

Sprint believes that its telemarketing safeguards generally, and its DNC efforts in particular, are effective at preventing calls to consumers who have indicated that they do not wish to receive such calls. We have received very few complaints from consumers who state that they were contacted by Sprint after they had requested that their name and number be placed on our DNC list,² and our investigation into such complaints indicates

¹ The cost to Sprint Long Distance of such scrubbing is estimated to be as high as \$2.5 million per year.

² For example, between November 2001-November 2002, our records indicate that Sprint Long Distance was served with approximately two dozen informal complaints by the

Footnote continued on next page

that in most cases, Sprint was in compliance with existing DNC rules. For example, in many cases, it turns out that the consumer had requested DNC for a telephone number other than the one at which he had just been called (*e.g.*, the number at his previous residence), or that the telemarketing call occurred shortly after the DNC request was received and was being processed.

Sprint does not have empirical or customer survey information which would enable us to determine whether the company-specific approach is burdensome to consumers in terms of cost, privacy or inconvenience. However, we would note that Sprint does not charge consumers a fee to be added to our DNC list (Sprint bears all of the costs of maintaining its DNC list), and that we have in place appropriate controls to protect the confidentiality of consumer information provided to us. Furthermore, as the Commission noted (NPRM, para. 16), the company-specific approach means that consumers can continue to receive telemarketing calls from companies with whom they may be willing to do business, while avoiding calls from those they do not.

Insofar as Sprint is aware, there is no record evidence to indicate that the DNC efforts of other companies have been ineffective or in violation of the Commission's existing telemarketing rules. However, to the extent that the Commission suspects or finds that certain telecommunications companies have failed to comply with these rules, it should concentrate its resources on enforcement activities designed to bring such companies into compliance, Sprint believes that appropriate enforcement activity can

FCC involving requests to be added to Sprint's DNC list. Of those complaints, only a handful involved allegations that Sprint continued to call the consumer after he or she had asked to be added to our DNC list.

serve as an effective deterrent to organizations that may be tempted to circumvent existing regulations. Targeted enforcement efforts also avoid a situation in which the "good actors" are forced to incur the costs of complying with unnecessary and onerous new regulations adopted because of the actions of a few non-compliant outliers.

B. The Additional Telemarketing Safeguards Described in the NPRM Are Onerous and Unwarranted.

Given the effectiveness of Sprint's telemarketing safeguards, the significant costs of complying with federal and state DNC rules and of maintaining up-to-date and accurate DNC lists, and the apparent lack of record evidence that the company-specific approach is overly burdensome to consumers, adoption of additional telemarketing safeguards does not appear to be necessary. **As** discussed below, Sprint believes that several of the measures about which the FCC has sought comment -- limits on use of predictive dialers (a mandatory maximum abandonment rate and mandatory transmission of caller ID information), use of toll-free numbers to make DNC additions, and affirmative responses to DNC requests -- are onerous and not cost-justified.

1. Restrictions on the Use of Predictive Dialers

The Commission has expressed concern about "hang-up" and "dead air" calls (NRPM, para. 15), based at least in part on inquiries received from consumers about predictive dialing. Thus, it has asked whether it should adopt rules to further restrict the use of predictive dialers to dial consumers' telephone numbers, such as requiring a maximum setting on the number of abandoned calls or requiring telemarketers who use predictive dialers to also transmit caller ID information (NPRM, para. 26).

Sprint opposes both of these proposals. We are deeply concerned that adoption of an unrealistically low abandonment rate will be excessively costly, and could have severe

repercussions on the use of predictive dialing technology. Adoption of a mandatory caller ID requirement for telemarketers also will be costly because of limitations in the equipment and network currently used to place telemarketing calls.

Sprint does employ predictive dialing technology to place telemarketing calls. As the Commission recognized (NPRM, n. 101, citing comments of the DMA before the Federal Trade Commission), this technology serves an important and legitimate business need: it enables small and large companies to reach more customers; allows smaller telemarketers to compete with larger competitors; allows companies to provide a greater number of services at lower prices; and allows telemarketers to better target customers most likely interested in telemarketing offers. Because predictive dialing helps to maximize agent productivity, increase the number of contacts with prospective customers most likely interested in telemarketing offers, and minimize customer acquisition expense, this technology helps Sprint (and other telemarketers) to offer service to customers at an attractive price.

Sprint is certainly sympathetic about consumers' feelings of unease or irritation upon receiving "dead air" calls (only some of which are placed by telemarketers, and even fewer of which are placed by telemarketers offering telecommunications services), and we attempt to minimize dead air calls through low abandonment rates. Sprint voluntarily complies with, and attempts to beat, the DMA's 5% abandonment rate standard, which was established based on the extensive experience of companies engaged in telemarketing activities in numerous sectors of the economy. It is not clear that the Commission has the information or market expertise to determine a reasonable maximum

abandonment rate; however, to the extent that the Commission feels compelled to establish such a rate, it should adopt the 5% standard set by the DMA.

It is certainly possible for telemarketers to achieve a lower abandonment rate, for example, by changing the parameters of the predictive dialing software so that fewer telephone numbers are dialed in a given time span, or each call is allowed to ring more times; or by increasing the number of telemarketing agents available to take a call. However, Sprint would emphasize that these measures will increase a telemarketer's costs, which necessarily translates into higher prices to subscribers. An apparently minor change in the abandonment rate could easily translate into millions of dollars of additional expense and lower productivity.

The Commission also asked whether it should require telemarketers who use predictive dialers to transmit caller ID information (NPRM, para. 26). This is not feasible for Sprint. Some of the equipment we use to initiate telemarketing calls is unable to out-pulse the requisite information, and the voice network used to place telemarketing calls does not consistently transport out-pulsed digits; it is our understanding that other carriers' networks and calling devices are similarly unable to provide caller ID information. Furthermore, even if telecommunications carriers using predictive dialing could transmit caller ID information on all of their telemarketing calls, it is not at all clear that such information would be of value to consumers. Fewer than half of U.S. households are estimated to have caller ID;³ transmission of caller ID information to consumers who do not have *or* do not subscribe to caller ID service is completely

³ TNS Telecoms ReQuest Survey, second quarter 2002. In Sprint LTD territory, the consumer caller ID penetration rate is considerably lower.

irrelevant. And, even those consumers who do have caller ID capability may not find such information from telemarketers particularly valuable; indeed, the only rationale offered in support of this proposal in the NPRM is that consumers who can identify the number of the calling entity “arguably would be better able to hold telemarketers accountable for their practices” (n. 103). This tepid and vague rationale hardly justifies expenditure of the resources needed to comply with the caller ID proposal.

2. Use of Toll-Free Numbers to Make DNC Additions

The Commission has asked for comment on whether telecommunications companies should be required to provide a toll-free number or website at which consumers can register their DNC requests (NPRM, para. 17). Sprint opposes this proposal because such requests cannot be positively identified – there is no way to ensure that the person making the request is authorized to do so. Thus, a competitor could theoretically register its entire customer base on Sprint’s DNC list as a way of preventing Sprint from contacting any of those consumers.⁴

3. Affirmative Responses to DNC Requests

The Commission has also asked whether companies should be required to respond affirmatively to consumer requests to be added to a DNC list (NRPM, para. 17). This proposal should be rejected because of the cost to comply and the complete lack of evidence that such a measure is necessary.

⁴ This scenario is not far-fetched. Sprint has received thousands of DNC requests on postcards whose postage was prepaid and that were preaddressed to Sprint. It appears that these postcards were included as a billing insert by a competitor to its customers.

The cost of responding affirmatively to every DNC request received would be prohibitive. **As** noted above, Sprint's consumer DNC database currently contains approximately 10 million entries, and the number grows weekly.⁵ Postage and printing costs alone for a database this size would easily be millions of dollars, and postage and printing may not even be the most expensive cost elements. Furthermore, because the FCC has jurisdiction only over telecommunications carriers, *imposition* of an affirmative response obligation only on telecommunications carriers can seriously reduce the effectiveness of their telemarketing efforts vis-a-vis the efforts of non-telecommunications carriers.

No party, including the Commission, has proffered evidence that Sprint or other telecommunications carriers have routinely failed to honor DNC requests; any company not in compliance should be the subject of targeted enforcement activity. It would be wasteful to require all compliant carriers to incur the burden of a rule which is designed to address the actions of a few bad actors.

Given the significant costs of complying with an affirmative response requirement, the lack of any apparent need for this measure, and the entirely unsubstantiated benefits which might be gained from a mandated affirmative response, the Commission must reject this proposal.

⁵ If the Commission decides to mandate implementation of a national DNC database, common carriers would be required by statute to inform their subscribers of the opportunity to register on that DNC database. The Commission has also indicated that it would engage in a consumer education campaign to the same effect. Thus, it is reasonable to assume that the number of consumers asking to be included on a national DNC list would significantly exceed the number currently registered on any company-specific list.

4. Existing Telemarketing Protections for Wireless Consumers Should Be Maintained.

Section 64.1200 (a) of the Rules prohibits use of an automated dialing system or an artificial or prerecorded voice to call “any telephone number assigned to...cellular telephone service, specialized mobile radio service, or other radio common carrier service, or any service for which the called party is charged for the call...” Sprint believes that this restriction should be maintained so **that** PCS and other wireless service customers are not charged for incoming telemarketing calls. Wireless service providers should, however, continue to be allowed to contact their own subscribers on matters relating to their account (*e.g.*, past due payment reminders).⁶

111. SHOULD THE FCC MANDATE IMPLEMENTATION OF A NATIONAL DNC DATABASE, THE PUBLIC INTEREST REQUIRES THAT SUCH DATABASE REPLACE STATE DNC LISTS.

In the instant NPRM (para. 49), the Commission again asks whether it should mandate implementation of a national do-not-call list of residential subscribers. **As** discussed above, Sprint believes that the current company-specific approach is adequate. However, should the Commission conclude that a national DNC database is warranted,⁷ Sprint believes that expanded use of an existing national database (rather than establishment of an entirely **new**, stand-alone national DNC database) is the most efficient and cost-effective approach. The Commission should then specify that this national database is to replace state-specific DNC lists.

⁶ Sprint PCS does not charge its subscribers for calls which are initiated by PCS representatives.

⁷ Consumers should be allowed to request inclusion of all of their assigned numbers, including their wireless numbers, in any Commission-mandated national DNC database.

In 1992, the Commission declined to mandate implementation of a national DNC list, citing the costs associated with establishing and maintaining such a list, and concerns about protecting customer privacy.⁸ Commenting parties estimated at that time that start-up and operational costs in the first year might range from \$20 - \$80 million (*id.*), and there is no reason to believe that such costs would be any lower 10 years later.⁹ To the contrary, establishment and maintenance of a new national database is likely to be far more complicated today than envisioned ten years ago. Today, for example, numbers are portable and pooled; new NPA introductions are more frequent;¹⁰ and there are many more service providers (*e.g.*, CLECs and wireless carriers) involved who need to provide updated information on such things as recycled numbers.¹¹ Given the plethora of regulation-induced costs already borne by telecommunications service providers and their subscribers (for USF, LNP, E911 access, etc.), the financial melt-down in the telecommunications sector, and the lack of record evidence that company-specific DNC

⁸ NPRM, para. 51, citing *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, 7 FCC Rcd 8752, 8760 (para. 14) (1992) ("*TCPA Order*").

⁹ Although the national toll-free database is not exactly analogous to a national do-not-call database, the revenue requirement associated with the toll-free database (which in May 2002 had customer records for approximately 24.5 million numbers) was \$78.6 million for the period June 2001- June 2002. See SMS/800 Transmittal No. 2¹ filed May 31, 2002, Tables 2 and 3A. This database has been in operation for many years, and thus the revenue requirement figure does not reflect start-up costs.

¹⁰ Since 1995, 168 new NPAs have been introduced. See http://docs.nanpa.com/cgi-bin/npa_reports/nanpa.

¹¹ Coordinating information uploads from thousands of local services providers to update the information contained in the national database will be quite complicated, and a requirement to provide updated information may well prove to be burdensome, especially to smaller carriers.

efforts have been ineffective, addition of yet another cost burden for a national DNC database would be contrary to the public interest.¹²

Should the Commission nonetheless conclude that a national DNC database is in the public interest, it should consider whether existing national databases, such as the one maintained by the Direct Marketing Association (DMA), would be an efficient and cost-effective vehicle to achieve the objectives described in the NPRM. Because the DMA database has been operational for many years now, many of the start-up costs could be avoided, and the DMA -- an independent entity not affiliated with any segment of the telecommunications industry -- has the practical experience and expertise to help ensure the accuracy of its data. Furthermore, because the DMA database is currently used by both common carriers and other non-telecommunications entities, it offers additional synergies if the Federal Trade Commission also decides to mandate a national DNC database for telemarketers subject to FTC jurisdiction.

If the Commission decides to require implementation of a national DNC database, it should also specify that this national database would replace the DNC databases maintained by the various states. The Act appears to have anticipated this result; for example, Section 227(e)(2) specifies that:

(2) State use of databases- If, pursuant to subsection (c)(3), the [Federal Communications] Commission requires the establishment of a single national database of telephone numbers of subscribers who object to receiving telephone solicitations, a State or local authority may not, in its regulation of telephone solicitations, require the use of any database, list, or listing system that does not include the part of such single national database that relates to such State.

¹² Of course, no decisions regarding cost recovery have yet been made. If the current controversy over the best way to recover USF costs is any guide, any decision about cost recovery for a national DNC database is unlikely to be easy.

Furthermore, Section 227(c)(3)(J) requires that any national DNC database must be designed “to enable States...to administer[] or enforce[] State law.”

It would obviously be redundant (and costly) for a State to develop and/or maintain a database which has the same state-specific information as is contained in the national database. And, since any national database must meet State enforcement needs, States need not fear that such a national database would in any way diminish their ability to protect consumers’ DNC rights. Therefore, if the FCC does decide to mandate a national DNC database, that database should replace any state DNC list designed to prevent telemarketing calls by telecommunications service providers to residential consumers.¹³

A coordinated national approach offers numerous advantages over either a splintered state-specific approach or a confusing combined state-federal approach:¹⁴

I. Helps to ensure accuracy of consumer DNC information. A DNC list is effective only if the information included on the list is accurate, and Sprint believes that a national database under the control of a single administrator will be more accurate overall than are multiple state DNC lists. By statute (Section 227(c)(3)(I)), the FCC must **specify** the frequency with which a national list will be updated; the FCC will presumably also

¹³ To minimize consumer confusion and to ensure that no DNC requests are lost, information currently contained in individual state DNC databases could be incorporated into a national DNC database (after ascertaining the accuracy of such information).

¹⁴ Although the following discussion focuses on the benefits of a national telecommunications DNC database vis-8-vis state-specific telecommunications DNC lists, an effort must also be made to coordinate DNC efforts by the FCC and other federal regulatory bodies to ensure consistent national telemarketing rules for both telecommunications carriers and other, non-telecommunications telemarketing companies.

take steps to ensure that the data provided is accurate and comprehensive (at a minimum, each record should include consumer's full name, address and telephone number, and the date of the DNC request). In contrast, it is unclear how often the state DNC lists are updated, and Sprint is concerned that what updates are made do not always capture changes related to consumer moves, deaths, or addition or deletion of their residential telephone numbers; NPA splits or changes; or recycling of numbers by local telephone companies.

2. Offers economies of scale. The costs of establishing and maintaining 50 state-specific DNC lists (not to mention the cost to telemarketing companies of interacting with 50 different databases) are likely to be higher than the cost of administering a single national database. For nationwide companies such as Sprint, it would be more efficient to download data from a single source, which is updated at regularly scheduled intervals, than to download DNC information from 50 state lists which may or may not have changed since the last download.

3. Minimizes customer confusion. A national DNC database offers one-stop shopping for telecommunications customers. No matter which state the consumer resides in, he needs to make only one contact to get on the national DNC list. A national database involves a single set of registration rules; the consumer does not need to navigate a welter of differing rules regarding sign-up fees, re-enrollment periods (different states have different time periods for inclusion on their DNC list), or data requirements, depending upon individual state DNC standards. A single database may also simplify any public information campaign.

4. Simplifies investigation and resolution of complaints about alleged DNC rule violations. If all the relevant information relating to a consumer DNC request is in one database, it will be simpler to investigate and resolve allegations of DNC rule violations. Today, for example, some state DNC lists do not include the date on which a consumer requested inclusion on the list. **As** most states have a grace period for telemarketers to download the data and process the DNC information, lack of a request date makes it difficult to determine if a rule violation occurred.

IV. INTERPLAY OF SECTIONS 222 (CPNI) AND 227 (DNC)

The Commission has asked for comment on the interplay between Sections 222 of the Act (privacy of customer information) and 227 (restrictions on the use of telephone equipment) (NPRM, para. 19). Sprint believes that a telecommunications carrier should be allowed to place telemarketing calls to those of its customers who agreed to allow their CPNI to be used (whether through explicit consent or by implied, opt-out consent), even if those customers also asked that their names be placed on a national or state DNC list. However, if a customer specifically requests that he be placed on his telecommunications carrier's company-specific DNC list, that request should be honored.

The Commission has recognized (NPRM, para. **14**) that “some consumers may feel that receiving product and service information by telephone helps them reap the benefits of a competitive marketplace ... [and] may value the savings and convenience that telemarketing often provides.” It is reasonable to assume that this is particularly true as regards companies with which the consumer is already doing business. *Sprint* believes that in many cases, consumers ask **to** be included on a general DNC list in order to avoid telemarketing calls generally, without realizing or considering that such action could stop

calls from entities, such as their current telecommunications service providers, with whom the consumer may actually wish to speak. Many customers expect their telecommunications service providers to contact them with information on services and products which may be of interest or use to them, based on their previous usage patterns;¹⁵ indeed, this is one of the primary reasons that Sprint initiates telemarketing calls to existing customers. If Section 227 “trumps” Section 222, Sprint and other telecommunications service providers would be forbidden from placing telemarketing calls to their customers even if those customers welcome or expect such calls

The view that telecommunications service providers should be allowed to contact their existing customers, even if such customers have asked to be placed on a general (non-company specific) DNC list, is consistent with the Commission’s view of the importance of “established business relationships.” In the TCPA proceeding, the Commission exempted established business relationships from the restrictions on artificial or prerecorded message calls to residences (see Section 64.1200(c)(3) of the Rules), reasoning that “...a solicitation to someone with whom a prior business relationship exists...can be deemed to be invited or permitted by a subscriber in light of the business relationship.”¹⁶ The DMA and most State DNC policies also include an exception for prior business relationships. Where a prior business relationship exists,

¹⁵ For example, a significant percentage of informal billing complaints served on Sprint by the FCC involve customers who are on sub-optimal calling plans (such as a customer who places many international calls but is on a domestic calling plan). In many instances, the customer is highly critical of Sprint for not informing him that more cost-effective alternatives were available (or even for not automatically switching him to the most cost-effective plan).

¹⁶ *TCPA Order*, 7 FCC Rcd 8770 (para. 34).

there is no basis for granting Section 227 **DNC** concerns blanket precedence over Section 222 CPNI concerns.

The exception to the rule that telecommunications companies should generally be allowed to place telemarketing calls to their customers involves situations in which a consumer has specifically contacted his telecommunications service provider and asked to be put on its **DNC** list. In this situation, we do suggest that Section 227 should take precedence over Section 222. The affirmative action on the part of the consumer in requesting that he not be called by a specific company “terminates the business relationship between the company and that customer for the purpose of any future solicitation,”” and the telecommunications service provider should respect its customer’s explicit request that he not be contacted by telephone for telemarketing purposes.

The Commission also asked whether there should be a time limitation to a “prior business relationship” (NPRM, para. 34). **Any** time limitation that is adopted should be sufficiently long as to allow for legitimate “winback” efforts. **Churn** rates in many segments of the telecommunications market -- toll and wireless in particular -- are extremely high, and winback efforts are vigorous. Because transaction costs, especially ~~for~~ long distance service, are generally very low (many IXCs pay the residential PIC change charge on behalf of their new customers; even if they do not, the interstate PIC change charge is usually less than \$5.00 per line), consumers frequently switch back and forth among carriers depending upon where they can get the best deal -- information which they often obtain during a telemarketing or winback call. To ensure a free flow of

¹⁷ *Id.*, 7 **FCC** Rcd 8770, n. 63.

information and offers to previous customers, the Commission should not prevent telecommunications carriers from placing telemarketing calls to their previous customers for up to one year from the time the business relationship was terminated. Sprint believes that this one-year time limit gives carriers a reasonable amount of time to attempt to win back their previous customers. (Of course, a consumer may halt all telemarketing calls from his current or former telecommunications service provider at any time by requesting that he be added to that provider's company-specific DNC list. Thus, a former customer has adequate protection against receiving telemarketing calls from a telecommunications carrier with which he does not wish to do business.)

V. CONCLUSION.

Sprint believes that its do-not-call efforts are effective, and that imposition of additional telemarketing safeguards (in particular, restrictions on the use of predictive dialers, mandatory use of toll-free numbers to make DNC additions, and affirmative responses to DNC requests) is onerous and not cost-justified. To the extent that the company-specific approach is not working, the Commission should rely upon targeted enforcement activities aimed at specific carriers it knows or suspects are in violation of existing regulations.

Sprint is deeply concerned about the cost of implementing and maintaining a national DNC database. However, should the Commission conclude that such an approach is warranted, it should consider using an existing national database administered by the DMA rather than establishing an entirely new database. Furthermore, any national database should replace the many DNC databases established by various States to minimize administrative expense and customer confusion.

Finally, the Commission should accord considerable deference to “prior business relationships” in limiting service provider contact with residential consumers. Carriers should be allowed to initiate telemarketing contacts with existing customers so long as those customers have not requested that they be added to the carrier’s company-specific DNC list, and to contact former customers for up to one year after termination of the business relationship

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December 9, 2002

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Comments of Sprint Corporation in CG Docket No. 02-278 and CC Docket No. 92-90 was delivered by electronic mail on this 9th day of December 2002 to the parties listed below.


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