

CALIFORNIA STUDENT AID COMMISSION

OFFICE OF THE EXECUTIVE DIRECTOR

RECEIVED

MAY 24 2006

Federal Communications Commission
Office of the Secretary

May 4, 2006

Ms. Kelli Farmer
Consumer and Governmental Affairs Bureau
Policy Division
Federal Communications Commission
445 12th Street, SW, Room 5-A866
Washington, DC 20554

RE: CG Docket No. 02-278

Dear Ms. Farmer:

The California Student Aid Commission (Commission) is the designated guarantor for California and annually guarantees over \$7 billion in Federal Family Education Loan (FFEL) Program loans. The FFEL Program is the largest Federal student loan program. As one of the nation's thirty-five guarantors, the Commission is responsible for administering all aspects of the FFEL Program, including performing vigorous default prevention activities and collecting defaulted student loans. The Commission performs these collection activities using both internal staff and third-party collection agencies.

I am writing in response to your office's call for comment on ACA International's Petition for an Expedited Clarification and Declaratory Ruling Concerning the Telephone Consumer Protection Act (TCPA) Rules (CG Docket No. 02-278). The Commission has read the ACA petition and concurs with its basic premise that Federal law and corresponding FCC regulations concerning the prohibited use of autodialers by telemarketers to contact borrowers on cellular telephones were never intended to and should not apply to creditors and collectors attempting to recover payments for goods and services already purchased. Failure by the FCC to clarify this position will be detrimental to the Commission and the Federal student loan program as a whole.

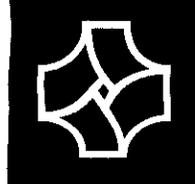
In Federal fiscal year 2005, the Commission and its third-party collection vendors recovered over \$387 million gross in defaulted student loans. More importantly, prevented approximately \$1.3 billion from defaulting by contacting delinquent student loan borrowers and counseling them on the many repayment options available under the FFEL Program. The inability to use autodialer technology would not only lead to reduced default recoveries and increased defaults, but thousands of borrowers who otherwise may have brought their accounts current will suffer the negative ramifications of student loan default. These are real dollar and human costs, and they can be avoided by the proper FCC declaratory ruling in favor of the ACA petition.

No. of Copies rec'd 0+1
List ABCDE

MAILING ADDRESS: P.O. BOX 419026 STREET ADDRESS: 10811 INTERNATIONAL DRIVE RANCHO CORDOVA, CA 95741-9026

TEL (916) 526-8999 FAX (916) 526-8033 WEB SITE: www.csac.ca.gov





STUDENT LOAN FINANCE CORPORATION

105 First Avenue Southwest, Aberdeen, SD 57401-4173

800.592.1270 800.645.1606 tty 605.622.4547 fax

www.slfc.com

RECEIVED
MAY 24 2006
Federal Communications Commission
Office of the Secretary

May 8, 2006

Ms. Kelli Farmer
Consumer & Government Affairs Bureau
Policy Division
445 12th Street, SW
Room 5-A866
Washington, DC 20554

RE: CG Docket No. 02-278

Dear Ms. Farmer:

Student Loan Finance Corporation is a loan servicer specializing in the servicing of student loans, including loans made under the Federal student loan programs created under the Higher Education Act and private, supplemental education loans.

I am writing in response to your office's call for comment on ACA International's Petition for an Expedited Clarification and Declaratory Ruling Concerning the Telephone Consumer Protection Act (TCPA) Rules (CG Docket No. 02-278). Student Loan Finance Corporation has read the ACA petition and concurs with its basic premise that Federal law and corresponding FCC regulations concerning the prohibited use of autodialers by telemarketers to contact borrowers on cellular telephones were never intended to and should not apply to lenders, servicers and collectors attempting to recover payments for goods and services already purchased. Failure by the FCC to clarify this position will be detrimental to Student Loan Finance Corporation and the student loan programs as a whole.

Autodialer technology provides an efficient and effective tool to facilitate contacting existing customers. The inability to use this technology would adversely impact the ability of lenders and their servicers to work with borrowers to address their special needs and meet their loan obligations. Default prevention activities would be impeded. The result will be increased loan defaults. Countless borrowers who otherwise would bring their accounts current will suffer the negative ramifications of student loan default. These are real dollar and human costs, and they can be avoided by the proper FCC declaratory ruling in favor of the ACA petition.

Student Loan Finance Corporation respectfully requests that the Commission issue a declaratory ruling clarifying that 47 C.F.R. § 64.1200(a)(1)(iii) does not apply to lenders, servicers and collectors when calling telephone numbers to recover payments for goods and services received by consumers and that the 2003 TCPA rulemaking did not alter the Commission's previous findings that calls to recover debts are not subject to the TCPA's autodialer restrictions.

Sincerely,

Rod Dobberpuhl
VP-Loan Servicing
Student Loan Finance Corporation

No. of Copies rec'd 091
List ABCDE

The Commission respectfully requests that the Commission issue a declaratory ruling clarifying that 47 C.F.R. § 64.1200(a)(1)(iii) does not apply to creditors and collectors when calling telephone numbers to recover payments for goods and services received by consumers and that the 2003 TCPA rulemaking did not alter the Commission's previous findings that calls to recover debts are not subject to the TCPA's autodialer restrictions.

Sincerely,

A handwritten signature in black ink, appearing to read "Diana Fuentes-Michel". The signature is written in a cursive, flowing style.

Diana Fuentes-Michel
Executive Director

cc: Sam Kipp, EDFUND President
Len Hyde, Acting Vice President, EDFUND Finance & Administration



Jerome Duran
Group Vice President
Servicing & Strategic Analysis

SunTrust Servicing Center
201 East Main Street
Murfreesboro, TN 37130
Tel 615.849.7236
Fax 615.849.7039
Jerome.Duran@SunTrust.com

RECEIVED
MAY 8 4 2006
Federal Communications Commission
Office of the Secretary

May 4, 2006

Ms. Kelli Farmer
Consumer & Government Affairs Bureau
Policy Division
445 12th Street, SW
Room 5-A866
Washington, DC 20554

RE: CG Docket No. 02-278

Dear Ms. Farmer:

SunTrust Bank's Servicing Center in Murfreesboro Tennessee specializes in the servicing of student loans, including loans made under the Federal student loan programs created under the Higher Education Act.

I am writing in response to your office's call for comment on ACA International's Petition for an Expedited Clarification and Declaratory Ruling Concerning the Telephone Consumer Protection Act (TCPA) Rules (CG Docket No. 02-278). SunTrust Bank has read the ACA petition and concurs with its basic premise that Federal law and corresponding FCC regulations concerning the prohibited use of autodialers by telemarketers to contact borrowers on cellular telephones were never intended to and should not apply to lenders, servicers and collectors attempting to recover payments for goods and services already purchased. Failure by the FCC to clarify this position will be detrimental to our operations and the student loan programs as a whole.

Autodialer technology provides an efficient and effective tool to facilitate contacting existing customers. The inability to use this technology would adversely impact the ability of lenders and their servicers to work with borrowers to address their special needs and meet their loan obligations. Default prevention activities would be impeded. The result will be increased loan defaults. These calls often advise our borrowers of the many deferment and forbearance options available to them, under law, to keep their student loans in good standing and to avoid the negative ramifications of student loan default. These are real dollar and human costs, and they can be avoided by the proper FCC declaratory ruling in favor of the ACA petition.

SunTrust Bank respectfully requests that the Commission issue a declaratory ruling clarifying that 47 C.F.R. § 64.1200(a)(1)(iii) does not apply to lenders, servicers and collectors when calling telephone numbers to recover payments for goods and services received by consumers and that the 2003 TCPA rulemaking did not alter the Commission's previous findings that calls to recover debts are not subject to the TCPA's autodialer restrictions.

Sincerely,
SunTrust Education Lending

Jerome Duran,
GVP, Servicing & Strategic Analysis

No. of Copies rec'd 041
List ABCDE