

Dear FCC Commissioners:

I write to strongly urge you to revise your proposed rule under the Telephone Consumer Protection Act (TCPA) restricting the use of autodialers and pre-recorded messages to contact consumers on their wireless numbers.

As a member of the collection industry, our company's communications with consumers are strictly regulated by the Fair Debt Collection Practices Act, the Fair Credit Reporting Act, and numerous other federal and state consumer protection laws. These laws provide extensive protections regarding the manner by which we communicate with consumers and what can and can not be said in these communications. Unfortunately, these rules will only serve to deprive consumers of vital information regarding their financial matters.

Recent surveys show that over twenty percent of all U.S. households only have a wireless telephone line. Moreover, trends in recent years suggest this rate will continue to rapidly increase. This proposed rule would force businesses to obtain express written consent before contacting customers with wireless numbers with autodialers and pre-recorded messages, and such consent cannot be a condition of service. These requirements are not realistic and will prevent businesses from accurately and efficiently contacting consumers.

Further, one of the main claims leveled against predictive dialers is their ability to randomly or sequentially generate numbers to reach customers. The predictive dialers used in our industry are used for their accuracy and efficiency in dialing the numbers provided to us by our clients. This technology is important to help the industry remain compliant with all current federal and state laws while making sure the right consumers are contacted in a timely manner. This proposed rule would unduly hamper such efforts.

I strongly urge the FCC to revise its proposed rulemaking to the TCPA in a manner that properly recognizes the importance of continued, timely communication between businesses and consumers via their wireless numbers. Thank you for your attention to this critical issue. I urge you to review comments submitted by my trade association, ACA International, to make needed revisions to this proposed rule.

Sincerely,

Virginia Marczynski  
Compliance Officer