

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 presently 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, the time of day we can contact the consumer, and what can and cannot be said in these communications. Unfortunately, the proposed rules will only serve to limit communication and deprive consumers of vital information regarding their financial matters.

Recent surveys show that presently over twenty percent of all U.S. households only have a wireless telephone line and that there are presently more wireless lines than land lines. Moreover, trends in recent years suggest this movement toward wireless 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 and calls as might be the case in traditional telemarketing. This claim is not correctly leveled against the collection industry. The predictive dialers used in our industry do not dial random or sequential numbers. To the contrary, our dialer technology is used for its accuracy and efficiency in dialing the specific numbers provided to us by our clients for consumers with which they have preexisting business relationships.

The proposed rule will reduce our ability to make contact with consumers that have pre-existing credit relationships with our clients. The logical extension of this rule will be that the cost of credit will increase and we will see heightened underwriting rules that will reduce the availability of credit to many of our citizens who most need credit.

I strongly urge the FCC to revise its proposed rulemaking to the TCPA to permit the collection industry to employ targeted autodialer campaigns to reach consumers with which our clients have preexisting credit relationships without the unrealistic requirement of prior written/express consent. To do otherwise would be a failure to recognize the advance of technology and 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,

Jowell Medina

