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December 2, 2011

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 20554

**Re: *Ex Parte Presentation*
*CG Docket No. 02-278***

Dear Ms. Dortch:

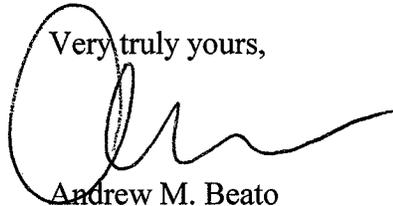
Pursuant to the Federal Communication Commission's ("Commission") *ex parte* presentation rules, 47 C.F.R. § 1.1200 *et seq.*, this letter serves as notice that Patrick Morris, CEO, ACA International, Adam Peterman, Director of Federal Government Affairs, ACA International, and the undersigned counsel met with staff of the Consumer and Governmental Affairs Bureau including Joel Gurin, Michael Jacobs, William Freedman, Kurt Schroeder, Karen Johnson, and Deborah Broderson, on December 1, 2011.

We discussed ACA International's comments in the above-referenced docket with respect to the non-telemarketing use of predictive dialers to communicate with consumer debtors concerning their account status. To be consistent with long-standing Commission findings and to achieve maximum consistency with the Telemarketing Sales Rule promulgated by the Federal Trade Commission, we requested that the Commission re-affirm that debt collection calls initiated by predictive dialers "are not directed to randomly or sequentially generated telephone numbers" and "are therefore a non-telemarketing use of auto dialers not intended to be prohibited by the TCPA." *See* Notice of Proposed Rulemaking in the Matter of the Telephone Consumer Protection Act of 1991, 7 FCC Rcd 8752, at ¶ 15 (rel. Apr. 17, 1992); Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991, Recon. Or., 10 FCC Rcd 12391, at ¶ 19 (1995).

Marlene H. Dortch, Secretary
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In accordance with the Commission's rules, a copy of this letter will be filed electronically for inclusion in the public record.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Andrew M. Beato', written over a circular stamp or mark.

Andrew M. Beato
ACA Federal Regulatory Counsel

cc: Adam Peterman (via electronic mail only)