



Filed July 2, 2012

Federal Communications Commission
Washington, D.C. 20554

Re: CG Docket No. 02-278
Marketlink, Inc.'s Petition for Reconsideration and Amendment

We have great concerns regarding the FCC proposed amendments to the TCPA as published in the Commission's Report and Order released February 15, 2012. Through this petition, Marketlink, Inc. (Marketlink) respectfully requests the FCC to modify the amendments specifically addressed below.

Abandoned Call Opt-Out Provision

As noted in prior communications from the industry, the requirement of an auto opt-out mechanism for telemarketers using abandonment messages was added to the proposed amendment without notice. The provision was not included in the FCC's March 22, 2010 Notice of Proposed Rulemaking (NPRM), thus not allowing industry feedback as outlined in the Administrative Procedures Act.

The 2012 Report and Order stated the provision would not be "especially burdensome or pose extraordinary technical issues" and "industry comments uniformly represent that interactive technology is affordable and widely available". These are not true statements for Marketlink. The technology does not exist within our dialing platform. Marketlink uses predictive dialing technology, not technology used for prerecorded messages. Predictive dialing technology is not the same as the technology used for prerecorded messages as the purpose of the technology is different. Our intent is to talk to live consumers, not to play a recorded message. Marketlink has requested the technology be developed for our three predictive dialers. The abandonment message opt-out feature has been developed in a non-standard research and development manner. Thus, it has not been tested in a proper environment. Marketlink has no guarantee that this feature will work as intended. In addition, the feature will cost Marketlink \$84,000. This is approximately 6.2% of any given monthly revenue for us. This is a burdensome and costly for us to implement. Because dialing technology has advanced so much over the past few years, Marketlink abandons approximately 0.33% of the calls we dial, or 1.3% of our live connects.

Sincerely,

Kourtney Keough
President/CEO
Marketlink, Inc.