

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of the)
)
Rules and Regulations Implementing)
) **CG Docket No. 02-278**
the Telephone Consumer Protection)
)
Act of 1991)

**Joe Shields Opposition to the Call Assistant LLC Withdrawal of the Request for
Clarification**

Call Assistant LLC withdrawal is not in the best interest of members of the public. Other than a terse "...technology has advanced..." Petitioner provides no logical reason for withdrawal of the request. No matter how technologically advanced the system of delivering prerecorded messages has become it still warrants a Commission determination that delivery of prerecorded messages even when a "live" person is listening in is a violation of the TCPA if unsolicited and initiated without prior express consent of the called party.

The issue is not interaction with a live person as much as it is an issue of delivering prerecorded messages. Further, the comment period has expired. To allow withdrawal now is a waste of the efforts of commentators in the proceeding. Consequently I oppose the withdrawal of the request.

Respectfully submitted,

_____/s/_____

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