

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

In the Matter of	)	
	)	
Primus Telecommunications, Inc.	)	
	)	File No. EB-03-TC-162
	)	NAL/Acct. No. 20043217 0006
Compliance with the Commission's	)	FRN: 0004317798
Rules and Regulations Governing	)	
the National Do-Not-Call Registry	)	
	)	

**ORDER**

**Adopted: September 28, 2004**

**Released: September 30, 2004**

By the Chief, Enforcement Bureau:

1. In this Order, we grant a motion filed by Primus Telecommunications, Inc. ("Primus") on September 17, 2004,<sup>1</sup> requesting that we adopt an amendment to the Consent Decree entered into between the Enforcement Bureau and Primus.<sup>2</sup> Primus requests that the Consent Decree be amended to correct the description in paragraph 2 of Primus and its business. The proposed amendment does not affect the provisions that pertain to Primus's obligations under the Consent Decree.

2. After reviewing the proposed amendment, we find that the public interest would be served by granting Primus's motion and adopting the attached amendment to the Consent Decree. Accordingly, **IT IS ORDERED** that Primus's September 17, 2004 motion **IS GRANTED** and that the attached amendment to the Consent Decree **IS ADOPTED**.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon  
Chief, Enforcement Bureau

<sup>1</sup>Primus Motion, File No, EB-03-TC-162 (Sept. 17, 2004).

<sup>2</sup>See *Order and Consent Decree*, DA No. 04-287, File No. EB-03-TC-162, (rel. Sept. 7, 2004).

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the National Do-Not-Call Registry	)	
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**Amendment to Consent Decree**

The undersigned parties hereby agree to amend the Consent Decree executed on September 3, 2004, and adopted by the Chief, Enforcement Bureau of the Commission in the above-captioned docket by Order dated September 7, 2004, DA 04-2847, (the "September 3rd Consent Decree") by replacing paragraph 2 of the September 3rd Consent Decree with the revised paragraph and footnote set forth below. This amended paragraph and footnote includes a corrected description of Primus Telecommunications, Inc. and its business.

2. Primus, headquartered in McLean, Virginia, is the principal U.S. operating subsidiary of Primus Telecommunications Group, Inc. ("PTGI"), a global facilities-based telecommunications services provider offering international and domestic voice, Internet and data services to business and residential retail customers, as well as to other carriers. Primus holds numerous authorizations to provide telecommunications services from the FCC and state public utility commissions. In the past, outbound telemarketing generated approximately 40 percent of the new sales in Primus's International Consumer Marketing ("ICM") division.<sup>1</sup> Primus does not engage, however, in direct telemarketing to residential consumers. In September 2003, Primus hired a third party telemarketer, Spanco Telesystems & Solutions, Ltd. ("Telemarketer"), to conduct telemarketing on its behalf.

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<sup>1</sup>The revenues attributed to Primus's ICM division constitute approximately 2 percent of the total PTGI corporate revenues.

The parties agree that all other provisions set forth in the September 3rd agreement remain in force without change. This amendment may be executed in counterparts.

For: Primus Telecommunications, Inc.

\_\_\_\_\_  
Date Walter L. Stone

For: Enforcement Bureau  
Federal Communications Commission

\_\_\_\_\_  
Date David H. Solomon