



# PUBLIC NOTICE

Federal Communications Commission  
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DA 19-457

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## CONSUMER AND GOVERNMENTAL AFFAIRS BUREAU SEEKS COMMENT ON PETITION FOR WAIVER FILED BY AMERICREDIT FINANCIAL SERVICES INC. D/B/A GM FINANCIAL

CG Docket No. 02-278

**Comment Date: June 24, 2019**

**Reply Comment Date: July 9, 2019**

With this Public Notice, we seek comment on a petition for waiver filed by AmeriCredit Financial Services Inc. d/b/a GM Financial (GM Financial).<sup>1</sup> Specifically, GM Financial seeks a limited waiver of section 64.1200(b)(1) of the Commission's rules to allow it to satisfy the identification requirements by providing only its "doing business as" name when placing artificial or prerecorded voice telephone messages.<sup>2</sup> GM Financial contends that good cause exists to grant a waiver because its customers are unfamiliar with the AmeriCredit Financial Services legacy name and because the GM Financial name alone is used in all customer-facing communications.<sup>3</sup> In addition, GM Financial indicates that every state, Guam, Puerto Rico, and the Virgin Islands have authorized the use of the GM Financial name.<sup>4</sup>

We seek comment on this and any other issues raised by the *Petition*.

*Filing Requirements.* Interested parties may file comments on or before the date indicated on the first page of this document.<sup>5</sup> All filings must reference CG Docket No. 02-278. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).<sup>6</sup>

- Electronic Filers: Comments may be filed electronically using the Internet by accessing ECFS:

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<sup>1</sup> AmeriCredit Financial Services Inc. d/b/a/ GM Financial, Petition for Waiver, CG Docket No. 02-278 (filed May 16, 2019) (*Petition*).

<sup>2</sup> *Petition* at 1. In relevant part, section 64.1200(b)(1) requires those making an artificial or prerecorded voice call to "state clearly the identity of the business, individual, or other entity that is responsible for initiating the call. *If a business is responsible for initiating the call, the name under which the entity is registered to conduct business with the State Corporation Commission (or comparable regulatory authority) must be stated.*" See 47 CFR § 64.1200(b)(1) (emphasis added).

<sup>3</sup> *Petition* at 2.

<sup>4</sup> *Id.*

<sup>5</sup> 47 CFR § 1.2.

<sup>6</sup> See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

<https://www.fcc.gov/ecfs/>.

- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.
- Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
  - All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
  - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
  - U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

*Ex Parte Rules.* The proceeding this Notice initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.<sup>7</sup> Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

*People with Disabilities.* To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice), 844-432-2275 (videophone), or 202-418-0432 (TTY).

*Additional Information.* For further information, contact Richard D. Smith, Consumer Policy Division, Consumer and Governmental Affairs Bureau, at (717) 338-2797 or [Richard.Smith@fcc.gov](mailto:Richard.Smith@fcc.gov).

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<sup>7</sup> 47 CFR §§ 1.1200 *et seq.*