



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

September 28, 2010

The Honorable Robert F. Bennett
United States Senate
431 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Bennett:

Thank you for your letter regarding Call Assistant, LLC and our implementation of the Telephone Consumer Protection Act. I understand your concerns and have asked the Consumer and Governmental Affairs Bureau to reply to your letter. The Bureau's response is attached for your information and review.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,



Julius Genachowski

Enclosure



Federal Communications Commission
Consumer & Governmental Affairs Bureau
Washington, D.C. 20554

CGB

September 28, 2010

The Honorable Robert F. Bennett
United States Senate
431 Dirksen Senate Office Building
Washington, D.C. 20510-4403

Dear Senator Bennett:

Thank you for your letter regarding your constituent, Call Assistant, LLC (Call Assistant), and the reply comments that it recently filed to the Further Notice of Proposed Rulemaking (Further Notice) in CG Docket No. 02-278. In particular, you support Call Assistant's request that the Federal Communications Commission clarify the applicability of the Telephone Consumer Protection Act (TCPA) and the Commission's implementing rules to operator-supervised calls using prerecorded call segments. Chairman Julius Genachowski has asked me to respond to your inquiry on his behalf.

To explain the technology it employs in initiating calls to consumers, representatives from Call Assistant have, during the past three months, met with FCC staff of both the Consumer and Governmental Affairs Bureau (CGB) and the Enforcement Bureau. We appreciate the time that Call Assistant took to describe and demonstrate its technology for the staff, and we expect that these presentations will help the Commission make a timely and informed decision that duly takes into account the company's reply comments. Furthermore, we have added your supporting letter to the record for CG Docket No. 02-278, and CGB will give full consideration to it as we craft recommendations for the Commission's resolution of the issues raised in the Further Notice. We likewise support the TCPA's goal of giving consumers greater control and more information about the telemarketing calls they receive.

Thank you for your interest in the Commission's rules implementing the TCPA and the impact of the TCPA on new technologies. Please do not hesitate to contact me with further questions at (202) 418-0816.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Stone".

Mark Stone
Deputy Chief
Consumer & Governmental Affairs Bureau