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Submitted Via Electronic Filing

July 24, 2019

The Honorable Chairman Ajit Pai
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Comments Concerning the Telephone Consumer Protection Act: Advanced Methods to Target and Eliminate Unlawful Robocalls
CG Docket No. 17-59

Dear Chairman Pai:

On behalf of Ohio's 262 credit unions and their more than three million members, the Ohio Credit Union League (OCUL) is commenting on the Federal Communications Commission's (FCC) Third Further Notice of Proposed Rulemaking (TFNPRM) regarding advanced methods to target and eliminate unlawful robocalls.

As we have previously expressed to the FCC, we are supportive generally of its efforts to mitigate illegitimate and harassing robocalls. As financial cooperatives, credit unions seek to communicate pertinent information to their members about fraud, theft, financial health, and account services, among other items. Robocalls interfere and diminish business communications between credit unions and their members.

As the FCC continues to engage in this TFNPRM and finalize its regulatory structure, OCUL urges the FCC to create a rule framework which includes the following:

- Considering the pre-existing relationship between the caller and the recipient to ensure that wanted or existing business relationship calls are not blocked or in any other way impaired;
- Discouraging voice service providers from labeling calls as "debt collector," as servicing collections-related calls are lawful and beneficial to consumers, unlike the call labels of "spam" and "nuisance," which describe illegally placed calls;
- Providing the opportunity for the recipient of the call to opt-out of this specific service; and,
- Informing the recipient of when calls are automatically blocked by a voice service provider and requiring the voice service providers to remove erroneous blocks within 24 hours.

For years, the TCPA regulatory framework has caused confusion within the marketplace and for consumers and interrupted legitimate business communications. Because credit union members overwhelmingly expect and deserve timely communications and credit union outreach regarding their accounts, we urge the FCC to prioritize the entire TCPA regulatory framework. Prioritization of the framework should include not only addressing how voice service providers



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can protect consumers from unwanted robocalls but also when and how entities should be communicating with consumers holistically under the TCPA. Since the D.C. Circuit decision in *ACA Int'l v. FCC*, the FCC has not finalized the TCPA regulatory structure to address court rulings which deemed part of the framework to be unconstitutional.

As long as there is uncertainty regarding how to comply with TCPA, beneficial consumer communications remain burdened and credit unions' service-focused interaction with member-owners remains uncertain and vulnerable to specious litigation threats and actions.

We urge the Commission to begin working on a modernized TCPA rules framework which fully accounts for both *technological advancements* and *existing established business relationships*.

Thank you for your careful consideration and for the opportunity to express these views.

Sincerely,

Handwritten signature of Paul Mercer in black ink.

Paul Mercer
President

Handwritten signature of Miriah Lee in black ink.

Miriah Lee
Regulatory Counsel



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