

Comments:

- 1) The prohibition on prerecorded messages should be extended to calls answered by a voicemail system or an answering machine. A telemarketing company should need the consumers express written consent that a prerecorded message is acceptable to be delivered to an answering machine or voicemail service. A prerecorded message is intrusive no matter if it is received in person or on an answering device. Regardless of how the message is relayed to a person, the person will still have to listen, most of the times annoyingly, to a prerecorded message. Additionally, the prerecorded message is taking up valuable space on a voicemail system or on an answering machine. After coming home from a long day of work or errands, the last thing I would want to do is listen to a prerecorded message on my answering machine. All I want are the necessary messages.
- 2) Based on the data in the 16 CFR Part 310, I doubt the burden on firms that must comply with the rule will be great. If anything, possibly smaller firms should have less stringent standards since their cost to comply is greater proportionally to their revenues than larger firms. For example, maybe the three percent call abandonment standard should be increased to 5% for extremely small businesses.
- 3) I think a consumers choice to place their name on the Do Not Call Registry indicates that the consumer wishes to receive neither live nor prerecorded calls. This person does not want to be called period. They are tired of any type of annoying phone call. A telemarketing phone call is just as annoying if it is live as if it were prerecorded. The simple act of the call is the nuisance, who or what is on the other end is a mere technicality.