

Mr. Craig McMullin
Association of Free Community Papers
Colorado
United States

Federal Trade Commission
VIA website submission

To Whom It May Concern:

The Association of Free Community Papers understands that the Federal Trade Commission is seeking public comment on a potential change to the Telemarketing Sales Rule (TSR) that governs telemarketing to private telephone numbers within the United States.

We understand that since the latest TSR was implemented October 1, 2003, more than 55 million homes have been added to the list, slightly more than 150,000 complaints have been received, which were only 55,000 when duplicates and incomplete complaints were deleted, and that only 45 companies had more than 100 complaints filed against them. We understand that the FTC feels that the program has worked ?Exceptionally Well.?

This information was obtained from the FTC?s website.

There is no doubt that the Do Not Call lists have been widely accepted by citizens throughout the country, and that the program will continue. However, we sincerely ask that the FTC understand the costs involved in complying with these rules and the hardship they place on small businesses.

The FTC has estimated the cost of complying with the program to be \$100 per update to the lists. However, the costs are substantially higher, as we do not believe these estimates include the cost of technical personnel to perform the updates. In many small businesses, this assistance is not available on staff, but must be purchased from outside vendors at substantial cost. For many businesses, many area codes must be purchased adding to the cost.

While we understand that the program must continue due to the overwhelming public response, we strongly urge the FTC to not change the timetable for updating each company?s internal list from quarterly to monthly.

Even if the FTC?s estimate of \$100 per update is accurate, and we believe it is not, the increased cost from \$400 per year to \$1,200 per year is onerous for many small businesses. With thousands of small businesses, the costs the FTC would be forcing on to these small businesses could easily be in the millions.

The cost to business of making this change far exceeds the improvement in a system that the FTC already has classified as performing ?Extremely Well.?

If you have any questions regarding our position, please contact Craig McMullin, executive director, AFCP, 877-203-2327, craig@afcp.org.

Sincerely,
Craig McMullin