

# Fiber Clean

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March 9, 2002

Office of the Secretary  
Room 159  
Federal Trade Commission  
600 Pennsylvania Avenue NW  
Washington, DC 20580

To Whom It May Concern:

I **am** in OPPOSITION to the proposed changes in the Telemarketing Sales Rule.

Since **1984** my company has provided high quality home services to clients in the Baltimore **and** Washington metropolitan areas. We rely on the telephone **as** the best method to make personal contact with a potential client. In fact we were using this approach before the word telemarketing was "invented". Currently we are exempt from the TSR because **our** calls lead to face to face appointments whereby services are provided and then payment is made. Though I must point out that we voluntarily comply with the provisions, to remove homeowners **from** our list at their request.'

**I would like you to consider the following information in your determination.**

Eliminating the exemption for calls making appointments for **face-to-face** meetings where sales are completed and services provided would cripple **our** ability to do business. **As** a small business we simply do not have the resources to "scrub our call lists" monthly with a "national do, not call list".

Almost all of **our** telephone people telecommute from their home: **This** is an attractive alternative for those who need to care for children, sick, disabled or elderly family members, or cannot afford transportation. Some of **our** employees are themselves disabled. **These people need to have their privacy protected; hence banning** their ability to block their private phone number from caller ID is essential.

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The creation of a national "Do Not Call" list is unnecessary and harmful to business. Consider the following, billions of dollars in business are completed annually. This fact by itself demonstrates that consumers want to do business over the telephone. The current rule that requires businesses to keep do not call lists is actually best for the consumer. Here's why, I may wish to respond to home services such as lawn care, remodeling, etc., while informing credit card or long distance companies to take me off their list. You may not have a lawn though you desire to change your telephone service so you can inform the lawn care company to stop calling you. Having a national list only restricts the consumer from being able to make the choice of services they desire; neither of the aforementioned options would be available.

My points being that we already have a system in place for anyone who wants to avoid a phone call to do so. Cell phone, message machines, and caller ID and the existing TSR are effective enough.

Have you considered the unintended consequences of the rule changes?

1. Obviously if a billion dollar industry is restricted people will lose their jobs and businesses will close.
2. The telephone is one of the few viable options for the disabled and disadvantaged to earn a living.
3. What other forms of advertising will businesses seek? Will the door to door salesperson return, will the environment become stressed as more people are required to drive to work, more trees are harvested to make paper as direct mail grows, more bill boards, etc.
4. How many frivolous lawsuits or complaints will burden the system?

Obviously this topic is of great concern to my family and me. If the TSR proposed changes are implemented I will certainly adjust my business practices. This will result in a 65% reduction in staff and an unknown loss of business.

I urge you to leave the system the way it is.

Sincerely yours,



Kenneth Wilcox  
President