

UTILI-FACTS

Telemarketing

Telemarketing is a method of direct marketing where a salesperson solicits prospective customers to buy products or services, either over the phone or through



a subsequent face-to-face or web conferencing appointment scheduled during the call.

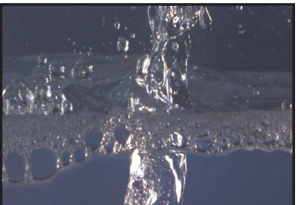
Telemarketing can also include recorded sales pitches played over the phone via automatic dialing.



General Telemarketing Tips

The following tips are from the National Fraud Information Center:

- Only do business with those you know and trust
- Make sure you understand the offer
- Check out the company's track record



- Be careful to whom you give your financial or other personal information
- You may be better off paying by credit card than with a check, cash, or money order, as long as you know with whom you're doing business
- Take your time to decide
- Resist pressure to send your payment by private courier, wire transmission, or overnight delivery
- Don't enter contests or other games of chance unless you know the company or organization sponsoring them
- If you've lost money to a fraudulent telemarketer, beware of bogus "recover services" that offer to get it back for you – for an upfront fee
- You do have some control over who calls you. You can tell a telemarketer not to call you again.
- You can reduce unwanted calls by signing up for "do not call" lists.
- Don't be shy about hanging up.

Telemarketers Must

Under the Telephone Consumer Protection Act (TCPA), telemarketers have specific guidelines to follow:

- Identify themselves and their business
- Tell you why they are calling
- Provide a telephone number or address at which they can be contacted
- Only call your home between 8am and 9pm
- Maintain a "do not call" list and honor any requests to not be called again indefinitely
- Not block identification for Caller ID units
- Not call residences with artificial voices or prerecorded messages, without prior consent
- Not transmit unsolicited commercial facsimile messages ("junk faxes"), without prior consent

Prerecorded Calls

In August 2008, the Federal Trade Commission amended the Telemarketing Sales Rule (TSR) by banning telemarketing calls that deliver prerecorded messages, unless a consumer has previously agreed to receive such calls from the seller. Beginning September 1, 2009, telemarketers can only make prerecorded calls to customers who agree in writing to receive them. Telemarketers will have to include a key press or voice-activated opt-out mechanism for all calls. Additionally, prerecorded messages must disclose at the beginning of the call that the recipient may request to be placed on the company's do-not-call list at any time during the message.

Prerecorded "informational" calls, such as healthcare-related, service appointment reminders, flight information, or non-profit organizations with which the recipient has an established relationship, are exempt from the rule.

Do Not Call Registry

The State of Texas offers residents two types of No Call lists, the Statewide Do Not Call list and the Electric No Call List. Your number will stay on both Texas Do Not Call lists for three years from the date you registered.

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Online registration at www.texasnocall.com is free.

If you register via the Automated Registration at 1-866-896-6225 or mail in your application, there is a registration charge of \$2.25 for each phone number.

Telephone registrations must be paid by MasterCard or Visa. Mailed applications may be paid by personal check, money order, or credit card.

Request an application in writing: TEXAS NO CALL

100 Summer Street
E. Walpole, MA 02032

See the Public Utility Commission's No Call Fact Sheet for further details.

National Do Not Call Registry

The National Do Not Call Registry gives you a choice about whether to receive telemarketing calls at home. Telephone numbers placed on the registry will remain on it permanently due to the Do-Not-Call Improvement Act of 2007, which became law in February 2008. The National Do Not Call Registry is managed by the Federal Trade Commission (FTC), the nation's consumer protection agency, and enforced by both the FTC and state law enforcement officials.

QUESTIONS:

Call: 1-888-782-8477, in Austin 512-936-7120
(TTY 512-936-7136) (FAX 512-936-7003)

Write: PUC - Consumer Protection Division
P.O. Box 13326, Austin, TX 78711-3326

Online: <http://www.puc.texas.gov/consumer/complaint/Complaint.aspx>

