

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	
	)	
Rules and Regulations Implementing the	)	CG Docket No. 26-239
Telephone Consumer Protection Act of 1991	)	
	)	

Comments of

National Consumer Law Center
(on behalf of its low-income clients)

Consumer Action

The Leadership Conference on Civil and Human Rights

Consumer Federation of America

Common Cause

National Consumers League

United Church of Christ Media Justice Ministry

NAVA (National Association of Voice Actors)

National Association of Consumer Advocates

National Hispanic Media Coalition

HTTP (Hispanic Tech & Telecommunications Partnerships)

Sikh American Legal Defense and Education Fund

Public Citizen

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Comment

Introduction and Summary

These Comments, submitted by the National Consumer Law Center (NCLC) on behalf of its low-income clients, Consumer Action, The Leadership Conference on Civil and Human Rights, Consumer Federation of America, Common Cause, National Consumers League, United Church of Christ Media Justice Ministry, NAVA (National Association of Voice Actors), National Association of Consumer Advocates, National Hispanic Media Coalition, HTTP (Hispanic Tech & Telecommunications Partnerships), Sikh American Legal Defense and Education Fund, and Public Citizen, are in response to the Federal Communications Commission's (Commission) Public Notice released on September 4, 2026, Consumer and Governmental Affairs Bureau Seeks Comment on Petition for Expedited Waiver Filed by Club for Growth and Petition for Expedited Declaratory Ruling Filed by Joe Shields, CG Docket No. 02-278.¹

Robocalls, telephone calls which deliver prerecorded or artificially voiced messages, are an intrusive nuisance. The Supreme Court remarked: "Americans passionately disagree about many things. But they are largely united in their disdain for robocalls."² Political robocalls are worse than most as politics is a notoriously divisive topic. The adage "never discuss politics or religion in polite company" has been widely published and repeated for hundreds of years, if not longer. Using robocalls, a hated form of communication, to deliver political messages, a sensitive topic almost nobody wants to hear about from AI- generated strangers, will enrage a wide swath of the 98% of the country that has a cellphone.³ Yet petitioner Club for Growth maintains in its Petition for

¹ Available at: <https://docs.fcc.gov/public/attachments/DA-26-940A1.pdf>

² *Barr v. Am. Ass'n of Pol. Consultants, Inc.*, 591 U.S. 610, 613 (2020).

³ Pew Research Center, Mobile Fact Sheet, November 20, 2025. Available at: <https://www.pewresearch.org/internet/fact-sheet/mobile/>.

Expedited Waiver that removing the prior express consent requirement for political robocalls to cell phones “will not undermine the Commission’s public interest goals or the TCPA’s⁴ privacy goals.”⁵

Political robocalls are deeply invasive of privacy and removing the prior express consent requirement is wholly inconsistent with the public interest and the objectives of the TCPA. We urge the Commission to deny the Waiver Petition before the upcoming November midterm elections and send a strong message that the law protects consumers from intrusive political robocalls.

In Section I of these comments, we explain why granting the Waiver Petition will harm consumers, small businesses, and our democracy. Political robocalls are widely regarded as an annoyance and cause visceral anger among many, in addition to being a vehicle for spreading AI-generated misinformation and delusions. Furthermore, the prohibition on automated calls to cell phones without prior express consent is one of the few protections in the TCPA that applies to small businesses that rely on cell phones to operate. Many small businesses must answer every incoming call to avoid missing a potential customer, and granting the Waiver Petition will result in more unwanted calls that waste small businesses’ time and money. Although the Waiver Petition contemplates applying some restrictions to political robocalls, such as a 3-call per month limit and a requirement to honor stop requests within 10 days, these protections are illusory as they would only apply to an individual caller and there are a potentially unlimited number of political action committees, campaigns, and non-profits that will deluge consumers and small businesses with calls in the run-up to an election.

In Section II of these comments, we argue that the Waiver Petition is inconsistent with the exemptions to the prior express consent requirement for robocalls to cell phones that the

⁴ Telephone Consumer Protection Act (TCPA), 47 U.S.C. § 227.

⁵ Petition of Club for Growth for Expedited Waiver, CG Docket No. 02-278 (filed Aug. 31, 2026) (Waiver Petition). Available at: <https://www.fcc.gov/ecfs/document/26110073991/1>.

Commission has granted previously. These exemptions apply narrowly to clearly defined types of calls. By contrast, the scope of what constitutes a political robocall is inherently imprecise and could encompass virtually anything, including overtly racist, discriminatory, and other offensive messages. In addition, the TCPA clearly delineates greater protections for cellular lines than residential lines, and granting the Waiver Petition would trample Congressional intent.

Finally, any exemption the Commission issues to the TCPA's protections for robocalls to cell phones must ensure that the called party is not charged for the call.⁶ An exemption for political robocalls, even with the restrictions proposed in the Waiver Petition, would result in unsolicited robocalls to cellular subscribers with plans that have limited minutes or otherwise charge for the call. This will harm consumers, particularly low-income consumers who are most likely to pay by the minute for service, and violate the TCPA. We respectfully request that the Commission deny the Waiver Petition in its entirety.⁷

I. AI Generated Political Robocalls Harm Consumers, Small Businesses and Democracy.

a. *Unsolicited political robocalls harm consumers.*

The TCPA restricts automated calls because they are a nuisance that enrage recipients. In the words of the law's Senate sponsor: "Computerized calls are the scourge of modern civilization. They wake us up in the morning; they interrupt our dinner at night; they force the sick and elderly out of bed; they hound us until we want to rip the telephone right out of the wall."⁸ Contrary to the

⁶ See 47 U.S.C. § 227(b)(2)(C).

⁷ The Commission's Public Notice also seeks comment on a Petition for Expedited Declaratory Ruling submitted by Joe Shields. While we agree with Mr. Shields that unsolicited text messages sent through highly automated systems, including "more than 15 billion political texts in 2022," are a significant problem and are clearly inconsistent with the goals of the TCPA, we express no opinion on whether the technology described by Mr. Shields constitutes an ATDS under the TCPA or the Commission's rules. Petition of Joe Shields for Expedited Declaratory Ruling, CG Docket No. 02-278 (filed May 21, 2026). Available at: <https://www.fcc.gov/ecfs/document/10521655010960/1>.

⁸ Statement of Sen. Hollings, 137 Cong. Rec. 30821 (1991).

position advanced in the Waiver Petition,⁹ the TCPA was never intended to regulate only telemarketing calls. In fact, the law was explicitly drafted to be content-neutral, intended to broadly ban *all* nonconsensual, non-emergency robocalling: “This bill carefully avoids drawing any distinctions among types of calls based on the content of the message being delivered ... whether these calls are made for commercial, ***political***, or other purposes.”¹⁰ A broad waiver of the TCPA’s consent requirement for political robocalls to cell phones is plainly inconsistent with Congress’s goals of protecting consumers from intrusive, unwanted computerized calls of any type.

The TCPA’s prior express consent requirement gives consumers the right to choose whether they want to receive political robocalls on their cell phones and from whom. Consumers who want political robocalls are free to request or consent to such calls. But during election season when the airwaves and the internet fill with political messages, the TCPA helps to ensure that the cell phones in our pockets don’t contribute to the overwhelming tide for the many who do not want them. Authorizing unsolicited robocalls to cell phones would leave consumers without this respite.

It is baffling how petitioner Club for Growth can argue that exempting political robocalls from the TCPA’s prior express consent requirement is consonant with the public interest and the privacy rights the TCPA protects. Exempting political robocalls from the TCPA’s consent requirements would fly in the face of the TCPA’s privacy protections. Privacy is the “the right to be let alone.”¹¹ We urge the Commission to deny the Waiver Petition to protect consumers’ privacy right to be free of unwanted political robocalls.

b. AI chatbots will spread misinformation and delusions.

⁹ See Waiver Petition at pg. 3 (characterizing the TCPA as intended to combat telemarketing).

¹⁰ 137 Cong. Rec. 30822 (1991) (emphasis supplied).

¹¹ Warren, Samuel D. and Brandeis, Louis D., The Right to Privacy, Harvard Law Review, Vol. 4, No. 5 (Dec. 15, 1890).

Political robocalls are inherently distasteful, but when they include messages generated by artificial intelligence (AI), as explicitly contemplated in the Waiver Petition, they are also dangerous, as they increase the risk of quickly spreading critical election misinformation.

Prerecorded messages historically have delivered identical information to each recipient and can be screened in advance to identify false and offensive statements. However, an AI-generated chatbot can deliver dynamic messages that vary based on the training information used to build the AI and the responses of the call recipient. It is not possible to fully vet the content of an AI chatbot call before the call recipient interacts with the AI because the call recipient's responses may be unique and can prompt a unique response from the chatbot. These unique responses are not always accurate and can create political misinformation.

AI “hallucinations” occur when generative AI tools fabricate information that appears authentic. Recent evaluations indicate that even advanced reasoning models sometimes generate plausible but false statements.¹² In the political robocall context, this means that a calling chatbot may misrepresent a candidate's position on an issue, the meaning of a yes or no vote on a ballot referendum, or the impact of a proposed amendment. The spread of political misinformation at scale endangers our entire electoral system, which relies on well-informed voters.

In addition to the risk of unintentional misinformation, a waiver for political AI-generated robocalls would increase the risk of intentional misinformation campaigns, including those using AI to generate false “deepfake” audio recordings of candidates, or to impersonate people to falsely indicate political endorsements, or simply to rapidly spread false information designed to alter or suppress votes. The Commission's enforcement history shows that bad actors will use robocalls to

¹² OpenAI. (September 10, 2025). Why language models hallucinate. <https://openai.com/index/why-language-models-hallucinate/>

intentionally spread lies, and that the TCPA stands as a bulwark against such depredations.¹³

Granting the Waiver Petition will allow and encourage robocallers to spread falsehoods at scale through both prerecorded and AI generated calls.

Further, the tendency of AI chatbots to agree with and validate the expressed opinions of the person it is interacting with, called “sycophancy,” has led some people to become highly confident of outlandish beliefs, a phenomenon called “AI psychosis” or “delusional spiraling.”¹⁴ Widespread calls from AI chatbots, and particularly repeated calls over short periods such as in the run-up to an election, heightens the risk that recipients will fall into dangerous delusions validated by the AI. For this reason, extensive political robocalls from AI chatbots can cause or contribute to racist and sectarian violence with tragic consequences.

There are few safeguards in the law to prevent harmful consequences from the use of AI, and encouraging reckless political robocalls from AI chatbots by exempting these calls from the TCPA’s prior express consent requirement is dangerous. The Commission should deny the Waiver Petition not only to protect consumer privacy but also to safeguard the political process from the widespread dissemination of misinformation.

c. Granting the Waiver Petition will hurt small businesses.

The TCPA’s prior express consent requirement applies to all cell phones, including small business cell phones. It is one of the only laws that protects small business owners from automated calls that clog lines, overflow voicemail inboxes, and waste time.

¹³ See In the Matter of John M. Burkman, Jacob Alexander Wohl, J.M. Burkman & Assocs. LLC, 36 F.C.C. Rcd. 12979 (2021) (Ordering \$5,134,500 forfeiture for violations of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(1)(iii) arising from robocalls that told potential voters that if they voted by mail, their “personal information will be part of a public database that will be used by police departments to track down old warrants and be used by credit card companies to collect outstanding debts,” among other falsehoods).

¹⁴ Chandra, et al., Sycophantic Chatbots Cause Delusional Spiraling, Even in Ideal Bayesians, February 22, 2026. <https://arxiv.org/pdf/2602.19141v1>.

The importance of the prior express consent requirement is illustrated by passionate comments submitted by over 345 small businesses to the Commission in 2024 in support of an effort to reduce telemarketing calls by restricting the sale of consumer consent “leads” by lead generators.¹⁵ The small businesses owners and managers noted repeatedly that telemarketing messages to their telephones cost them—in money, time, and missed calls.

Political robocalls are no less damaging, and many of the small business commentators in this docket expressed their frustration over not just telemarketing calls, but all unsolicited robocalls. The following comments are just a few of many examples:

- I am a small business owner. The spam calls are insane. Giant waste of time. My cell phone is MY tool not theirs. I spent a ton of time answering, dealing with, blocking, and reporting the non-stop calling. Even when they go to voicemail, it's a pain going through them. I need to keep my phone open for MY clients to call me, so I end up picking up 5 calls a day from call centers. Enough is enough.¹⁶
- I am the owner of a small business teaching flute and piano lessons. I need to have my phone number publicly available for potential students to contact me. I receive many spam calls every day, and even when I recognize that a number is spam and reject the call, they often leave a voicemail and then my voicemail inbox fills up quickly. I often don't receive a notification when my voicemail box is full, leading me to miss out on business if potential students can't leave me a message. All of this combined costs me a lot of time and energy that could be spent actually earning money for my business.¹⁷
- I am a small business owner that primarily relies on a cell phone to communicate with customers. More and more frequently, it is becoming a real burden, as spam, robocalls, and telemarketers have dramatically impacted my ability to communicate. To the point now that I have to send my calls to voicemail to screen them. This is costing me business, and time. It's time to crack down on this abusive and generally unethical industry.¹⁸

¹⁵ The list of Express Comments in Docket 02-278 filed between December 28, 2023 and March 11, 2024 is available at: [https://www.fcc.gov/ecfs/search/search-filings/results?q=\(express_comment:\(%221%22\)+AND+proceedings.name:\(%2202-278%22\)+AND+date_received:\[2023-12-18%20TO%202024-03-11\]\)](https://www.fcc.gov/ecfs/search/search-filings/results?q=(express_comment:(%221%22)+AND+proceedings.name:(%2202-278%22)+AND+date_received:[2023-12-18%20TO%202024-03-11])).

¹⁶ Brock Harris, March 8, 2024, Submission ID 10308011229884. Available at: <https://www.fcc.gov/ecfs/search/search-filings/filing/10308011229884>.

¹⁷ Erin Spencer, March 11, 2024, Submission ID 1031167027584. Available at: <https://www.fcc.gov/ecfs/search/search-filings/filing/1031167027584>.

¹⁸ Eric Bueschel, March 11, 2024, Submission ID 10311065186623. Available at: <https://www.fcc.gov/ecfs/search/search-filings/filing/10311065186623>.

The TCPA's prohibition on unconsented to robocalls substantially reduces the number of political robocalls sent to consumer and small business cell phone subscribers. This is evidenced by the tremendous disparity between political calls and political text messages. The TCPA's restrictions on political text messages are far less robust and only prohibit texts sent using an automated telephone dialing system, which the Supreme Court interpreted narrowly in its 2021 decision, *Facebook v. Duguid*.¹⁹ According to data collected by the call blocking app Robokiller, in 2022—the year of the last midterm election—subscribers received approximately 15 billion political text messages compared to 384 million political calls—almost 40 times as many texts as calls.²⁰ Clearly political callers have wholeheartedly embraced sending messages to cell phone subscribers. Granting the Waiver Petition and authorizing robocalls without the recipients' prior express consent will trigger a similar deluge of unsolicited political robocalls. These calls will harm both consumers and small businesses. The Commission should be doing everything in its power to reduce the number of unwanted robocalls, not giving a green light to ever-higher volumes of intrusive spam.

d. *The restrictions proposed in the Waiver Petition are illusory.*

The Waiver Petition invites the Commission to copy the restrictions imposed on informational prerecorded or artificially voiced calls to residential lines; however, these restrictions will not meaningfully safeguard consumer privacy. The Commission's rules impose a 3-call per 30-day period restriction on informational calls to residential lines²¹ and require callers to identify themselves,²² provide an automated opt-out mechanism,²³ and record opt-out requests within a

¹⁹ 141 S.Ct. 1163 (2021).

²⁰ The Robokiller Political Message Report, 2022 insights and analysis. Available at: <https://robokiller.com/reports/2022-political-message-report.pdf>.

²¹ 47 C.F.R. § 64.1200(a)(3)(ii).

²² 47 C.F.R. § 64.1200(b)(1) & (2).

²³ 47 C.F.R. § 64.1200(b)(3).

reasonable time not to exceed 10 days.²⁴ These restrictions are facially insufficient to protect cellular subscribers from unwanted calls and have a track record that strongly suggests they do not provide adequate protection even to residential lines.

The 3-call per 30-days restriction applies per caller, meaning that every campaign, political action committee, volunteer, fundraiser, or organizer can make up to three calls before they run afoul of the restriction. There are a potentially limitless number of political callers, which means a potentially limitless number of political robocalls to cell phones. The cost of placing VoIP calls is negligible, often a penny per minute or less,²⁵ and unsophisticated callers that lack the knowledge to set up their own robocall campaigns can engage service providers to broadcast prerecorded and artificially voiced messages for only a few cents per minute.²⁶ Additionally, as the Commission's rules permit as long as ten days to record opt-out requests, it is likely that political callers can blast out calls in the days leading up to the election even if the recipient tells them to stop. This allows a deluge of unstoppable political robocalls just before the election without legal repercussions.

Furthermore, the Commission's restrictions have not proven sufficient to protect residential lines and are highly unlikely to prevent unwanted calls to cellular subscribers. The Commission's complaint database shows that approximately 30.34% of complaints about unwanted calls come from wired and VoIP subscribers.²⁷ Yet, as of June 2025, wired and VoIP subscribers make up only

²⁴ 47 C.F.R. § 64.1200(d)(3).

²⁵ See, e.g., <https://www.bandwidth.com/pricing/> (offering U.S. local outbound calls for \$0.01 per minute).

²⁶ See, e.g., <https://callhub.io/pricing/> (offer voice broadcasting for \$0.046 per minute).

²⁷ The Commission's complaint database documented approximately 70,384 complaints about unwanted calls from wired and VoIP subscribers between January 1, 2025, and September 29, 2026, out of a total of 231,983 total complaints from voice service subscribers about unwanted calls in the same period, giving a proportion of complaints from wired and VoIP subscribers of 30.34%. This data was sourced from <https://opendata.fcc.gov/d/3xyp-aqkj/visualization>.

16.58% of retail voice telephone service connections.²⁸ Despite the Commission’s restrictions, consumers are almost twice as likely to complain about unwanted calls on their residential lines as on their cell phones. Thus, the proportion of complaints has a direct relationship to the strength of the TCPA’s protections—the protections against unwanted calls to residential lines are weaker than those for calls to cell phones, and a disproportionate share of complaints are about calls to residential lines. This track record strongly indicates that the Commission’s restrictions do not adequately protect residential lines from unwanted calls and will fare no better if applied to political robocalls to cellular lines.

II. Granting the Waiver Petition is Inconsistent with Commission Precedent and the TCPA.

a. Exempting political robocalls is inconsistent with Commission precedent.

The Commission’s existing rules exempt four types of calls from the prior express consent requirement for robocalls to cell phones, specifically: calls made by a package delivery company to notify a consumer about a package delivery,²⁹ calls made by an inmate collect call service provider following an unsuccessful collect call to establish a billing arrangement with the called party to enable future collect calls,³⁰ calls made by financial institutions related to fraud or identity theft,³¹ and calls made by, or on behalf of, healthcare providers regarding appointment reminders, prescription notifications, or healthcare instructions.³² The Commission also prescribed detailed restrictions and requirements for each type of exempt call, including length restrictions generally limiting voice calls to one minute or less, a requirement to provide automated opt-out mechanisms and honor opt-out

²⁸ See Voice Telephone Services: Status as of June 30, 2025, Industry Analysis Division, Office of Economics and Analytics, May 2026, at pg. 2, Fig. 1. Available at: <https://docs.fcc.gov/public/attachments/DOC-421558A1.pdf>.

²⁹ 47 C.F.R. § 64.1200(a)(9)(i).

³⁰ 47 C.F.R. § 64.1200(a)(9)(ii).

³¹ 47 C.F.R. § 64.1200(a)(9)(iii).

³² 47 C.F.R. § 64.1200(a)(9)(iv).

requests immediately,³³ identification requirements, and prohibitions on including telemarketing, solicitation, debt collection or advertising content. The Waiver Petition requests an exemption of a wholly different and inconsistent variety.

Instead of requesting an exemption for a narrowly defined type of call like a package delivery notification or a fraud alert, the Waiver Petition seeks to exempt all “noncommercial, political calls.”³⁴ This could include virtually any type of political message—from an annoying but relatively benign polling survey, to a harassing call about how to vote, or even a deeply offensive call espousing racist or antisemitic rhetoric about a candidate. Additionally, as discussed in Section I(d) above, the Waiver Petition proposes only ineffectual restrictions on exempt calls, including a requirement to record opt-out requests within a reasonable time not to exceed ten days rather than to honor opt-outs immediately as the Commission requires for three of the four currently exempt types of robocalls to cell phones.³⁵

These inconsistencies between the requested exemption and the Commission’s other exemptions for robocalls to cell phones mean that granting the Waiver Petition would likely be arbitrary and capricious. The decisions that the Waiver Petition cites in support of its claim that the Commission has authority to waive the prior express consent requirement for political robocalls, *Ne. Cellular Tel. Co., L.P. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) and *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C.Cir.1969), are largely inapposite. Both decisions arise from a regulation the Commission adopted, 47 C.F.R. § 1.3, stating that it has authority to waive its rules on a showing of good cause. But that rule does not give the Commission the authority to waive statutory provisions,

³³ Opt-out requests for package delivery calls must be honored within a reasonable time not to exceed six days. Callers must honor opt-out requests immediately for the three other currently exempt types of robocalls.

³⁴ Waiver Petition at pg. 1.

³⁵ 47 C.F.R. § 64.1200(a)(9)(ii)-(iv).

nor could it. The Commission's only authority to exempt calls from the TCPA's § 227(b)(1)(a)(iii) restrictions is found in 47 U.S.C. § 227(b)(2)(C), as discussed in section II(b). However, the decisions the Waiver Petition cites hold that an agency "may not act out of unbridled discretion or whim in granting waivers" and as a general rule waivers or exceptions must be granted pursuant to "an appropriate general standard."³⁶ The requested exemption from the TCPA's prior express consent requirement for robocalls to cell phones is undeniably broad and virtually unconstrained. The Commission has previously granted only four narrowly drawn, tightly constrained exemptions, to this TCPA requirement. Granting the proposed exemption cannot be reconciled with the prior exemptions and, should the Commission do so, it would strongly indicate that no appropriate general standard is at play. Therefore, granting the proposed exemption would be arbitrary and capricious.³⁷

b. *The proposed exemption is contrary to the TCPA's requirements.*

The subsection of the TCPA that authorizes the Commission to grant exemptions to the prior express consent requirement for robocalls to cell phones, 47 U.S.C. § 227(b)(2)(C), requires that the exempted calls "are not charged to the called party." The proposed exemption for political robocalls does not suggest any method through which callers can identify telephone numbers assigned to cellular services that charge the called party per minute of completed call. Consumers, and particularly low-income consumers and consumers with poor credit scores, frequently purchase minutes of cell phone service. These consumers are effectively charged for each cell phone call they receive. Absent some way of identifying telephone numbers associated with such plans, it is a certainty that anyone who makes a significant number of calls relying on the requested exemption will call consumers who are charged for the call and will violate the TCPA.

³⁶ *Wait Radio*, 418 F.2d at 1159.

³⁷ See *Ne. Cellular Tel. Co.*, 897 F.2d at 1167 (holding FCC waiver was arbitrary and capricious because it was not based on any rational waiver policy).

For each type of call the Commission has exempted, the caller has a preexisting relationship with the recipient cellular subscriber or with someone who knows that subscriber, and therefore a caller relying on the current exemptions can obtain information about whether the call recipient is charged for the call. Package delivery companies, financial institutions, and healthcare providers can all ask their customers for this information directly and collect call providers can at least ask their customers for information about the person they are trying to reach. However, the requested exemption contemplates calls to cellular subscribers that are wholly unknown to the caller. It is unclear how a political caller who relies on the exemption could determine whether their calls are in fact legal or whether they violate the TCPA because the recipient is charged for the call, and the Waiver Petition completely elides this issue. The Commission should not grant an exemption from the TCPA that is highly likely to result in calls that violate the statute.

Moreover, the TCPA was enacted to protect consumers' privacy.³⁸ Congress's grant of authority to the Commission to exempt prerecorded or artificially voiced calls to cell phones requires the Commission to address the need for conditions that protect consumers' privacy rights.³⁹ As discussed in detail in section I of these Comments, the proposed waiver would result in a massive invasion of consumers' privacy, and the proposed limits are wholly insufficient to prevent this harm. Granting the requested exemption would be plainly inconsistent with the privacy and consumer protection goals of the TCPA and exceeds the Commission's authority.

CONCLUSION

³⁸ P.L. 102-243, 105 Stat. 2394-95 at Sec. 2 ¶¶ 10, 12, 13, 14; 47 U.S.C. § 227(b)(2)(C) (referring to "the privacy rights this section is intended to protect").

³⁹ See 47 U.S.C. § 227(b)(2)(C) ("In implementing the requirements of this subsection, the Commission . . . may, by rule or order, exempt from the requirements of paragraph (1)(A)(iii) of this subsection calls to a telephone number assigned to a cellular telephone service that are not charged to the called party, **subject to such conditions as the Commission may prescribe as necessary in the interest of the privacy rights this section is intended to protect.** . . ." (emphasis supplied)).

Granting a waiver and exemption from the Commission's rules and the TCPA for political robocalls to cell phones is bad policy and contrary to law. The Commission should deny the Waiver Petition in its entirety.

Respectfully submitted this 5th day of October 2026, by:

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