



97% of the People of Canada

March 28, 2006

Ms. Diane Rhéaume
Secretary General
Canadian Radio-television and
Telecommunications Commission
1 Promenade du Portage
Gatineau, QC K1A 0N9

Re: Public Notice CRTC 2006-4 – National Do Not Call List Framework

Dear Ms. Rhéaume:

1. The following is a direct quotation from CRTC 2006-4: "[Many Canadians consider telemarketing calls to be an annoyance and an invasion of privacy. In a survey conducted by Environics in 2003 cited by Industry Canada,² 97 percent of respondents reported a negative reaction toward unsolicited calls....](#)" This submission is on behalf of the 97% of Canadians who find all forms of telemarketing annoying, and want it stopped, immediately and permanently.
2. This submission represents 31,517,269 individual Canadians, and as such shall be taken as 31,517,269 separate submissions, and given that weight in the CRTC's deliberations.
3. Telemarketing serves absolutely no useful purpose to society as a whole, and creates no value whatsoever, yet it is detrimental to our lives. Telemarketing simply gives rude and abusive corporations a competitive advantage over those which respect our peace and privacy.
4. Telemarketing, in all its forms, including commercial ADAD announcements, voicecasting, email spam, etc., is a parasitic behaviour, which can be described as a "telecommunications virus". We have before us the opportunity to lead the world in ridding ourselves of this parasitic behaviour. Doing so would force corporations to compete on the merits of their products and services, rather than favouring those which have yet to learn any manners. The resulting "level playing field" will, in the long run, enhance Canada's competitiveness.

Success Criteria

5. Our definition of a successful DNCL is one which would enable any Canadian to permanently stop ALL telemarketing calls to their home with less than 5 minutes of effort. Ideally, it should take no effort at all.

Exemptions

6. There shall be none. Anyone who is paid any consideration for calling to sell any kind of goods or services is a professional telemarketer.
7. Specifically, newspapers and pollsters shall not be exempted. Newspapers and pollsters are some of the most persistent and unapologetic offenders. They have both failed to honour even the minimal protections the CRTC currently has in place, and continue to call despite repeated requests to be placed on their current DNCL. We recognize that the exemption of newspapers and pollsters is a failure of our politicians, not the CRTC, but it is the responsibility of the CRTC to make it known to Parliament that they have failed to protect the interests of Canadians against the invasion of our homes.
8. It has been noted that many submissions from corporations and groups of corporations are requesting exemption for their industry. It would be acceptable for the individual to be able to choose which telemarketing calls to accept by industry, provided that it takes less than 5 minutes of total effort to make those choices. This would eliminate the need for any specific exemptions.

Grace Period

9. There shall be no grace period. If a Canadian citizen places their number on the DNCL, it shall take effect immediately.

Distribution of the DNCL

10. The DNCL shall never be distributed to a telemarketer in whole or in part. Telemarketers shall submit each number they intend to call to the DNCL operator, and receive a simple DENIED or PERMITTED from the DNCL operator. This must take place for each and every call, immediately before each call is placed. Telemarketers have proven time and again that they cannot be trusted with any kind of list.
11. This kind of “red light/green light” approach is by far the most efficient means to handle a high volume of data. Canadians are entitled to have a system with only one version of the truth. Large corporations which can afford large infrastructures should not have the competitive advantage of maintaining a local copy of the DNCL.

Existing Business Relationship

12. Exemption for “existing business relationships” shall be limited to one week from the date of the last contact initiated by the subscriber. An “existing business relationship” shall be defined as a first contact initiated by the subscriber which has resulted in a new sale of goods or services to that subscriber.
13. Ongoing regular payments for services such as those provided by a local telephone carrier do NOT constitute an exemption.

Opt-in to Receive telemarketing calls

14. Initially, every telephone number in Canada shall appear on the DNCL, and remain there until it is removed by the subscriber. After a period of one year, a removed number shall be added back on to the DNCL.

Costs

15. The cost of creating the DNCL shall be borne entirely by the corporations which created the problem in the first place, by not respecting Canadians' right to privacy and peace. The cost shall be divided in proportion to the number of complaints received to date by the CRTC against each telemarketer.
16. The entire cost of maintaining the DNCL shall be borne by telemarketers, in the form of a pay-per-call charge.

Penalties

17. The enforcement of the DNCL shall be "zero tolerance" with every single offence resulting in the maximum penalty. Any monies collected shall be distributed to those persons who filed complaints against that telemarketer, to compensate them for both the rude and abusive intrusion of the telemarketing call, and their time in filing the complaint.

Operation and Enforcement Agencies

18. Any corporation which has ever engaged in telemarketing shall not be allowed to participate in either the operation of the DNCL or enforcement. This would represent a clear conflict of interest, as demonstrated by the complete inability of certain local carriers to enforce the current CRTC rules, particularly when they have violated those rules repeatedly themselves. Do not allow the criminals to also be the police.

Implementation Date

19. The DNCL shall be implemented immediately. Do not allow corporate lobbyists to stall the process with their endless demands for special treatment.

Weight of This Submission

20. This submission has been prepared without compensation by anyone, aside from countless letters of support. Preparing this submission was simply the right thing to do. CRTC, The Canadian People are now asking you to do the right thing, and swiftly put an end to unwanted telemarketing. Do not allow yourselves to act out of political expediency. Do it right this time.
21. Go back to the beginning of this document and read it again. Repeat 31,517,268 times, or until you get it. Nearly all Canadians want to be able to control commercial interruptions to their lives, particularly on lifeline services such as residential telephone lines. Don't allow a few soulless, greedy corporations to put their ill-gotten profits ahead of our lives.