



October 21, 2025

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street, NE
Washington, DC 20554

Re: Ex Parte Notice: Draft Further Notice of Proposed Rulemaking (CG Docket Nos. 17-59, 02-278, 25-307, and WC Docket No. 17-97, FCC-CIRC2510-07).

Dear Ms. Dortch:

The American Public Power Association (“APPA”), the Edison Electric Institute (EEI), the Large Public Power Council (“LPPC”), and the National Rural Electric Cooperative Association (NRECA) (collectively, the Utility Trade Associations) commend the Federal Communications Commission (FCC) for issuing the draft Further Notice of Proposed Rulemaking (Draft Notice). The Draft Notice reflects thoughtful leadership in modernizing the Commission’s Telephone Consumer Protection Act (TCPA) rules to better serve consumers and legitimate callers.

Electric utilities rely on timely, efficient communications to deliver essential services, notify customers of outages, and provide safety-related updates. These communications are not telemarketing, but rather they are critical to public safety, regulatory compliance, and customer service. Accordingly, the Utility Trade Associations and their members have a strong interest in the Commission’s various proposals to protect American consumers—including electricity customers—from unwanted and illegal robocalls and texts, while also protecting legitimate, good-faith callers/texters from abusive TCPA litigation.

We support the Commission’s proposal to allow callers to designate the exclusive method by which consumers may revoke prior express consent. This reform will enhance clarity for consumers, streamline revocation processes, and enable businesses, including electric utilities, to automate consent management more effectively. It will also reduce the risk of miscommunication and litigation stemming from ambiguous or non-standard revocation attempts.

We also support the Commission’s proposal to delete the requirement that an opt-out request made in response to one type of call/text must be treated as a revocation for all types of calls/texts. Without this change, consumers may unintentionally lose access to critical,

service-related communications—such as outage alerts, and safety updates that are closely tied to their electric service.

Additionally, we support the request by the Financial Trade Associations for the Commission to strengthen the Draft Notice by including a brief order extending the current April 11, 2026, deadline for compliance with the “revoke-all” rule.¹ As noted in their filings, businesses must begin allocating resources now to meet this deadline. If the rule is ultimately revised or rescinded, those investments will be wasted. A further extension would avoid unnecessary costs and provide time for the Commission to complete its rulemaking process. We agree and respectfully request that the Commission extend the implementation deadline to the later of April 11, 2027, or six months from the date on which the Commission adopts a final rule or rule amendment based on the Further Notice of Proposed Rulemaking.

We appreciate the Commission’s continued efforts to modernize its TCPA framework and ensure that consumers receive the communications they want and need. We look forward to participating in the rulemaking process and supporting reforms that promote clarity, efficiency, and fairness.

Respectfully submitted,

/s/ Aryeh Fishman

Associate General Counsel
Edison Electric Institute
afishman@eei.org

/s/ Amy Thomas

Vice President of Government Relations
American Public Power Association
athomas@publicpower.org

/s/ Jonathan Schneider

Stinson LLP
Counsel to Large Public Power Council
jonathan.schneider@stinson.com

/s/ Brian O’Hara

Senior Director, Regulatory Affairs –Telecom &
Broadband
National Rural Electric Cooperative Association
brian.ohara@nreca.coop

Cc: Callie Coker
Aaron Garza
Mark Stone
Danielle Thumann

¹ Letter from ACA International, American Bankers Association, America’s Credit Unions, American Financial Services Association, Defense Credit Union Council, Bank Policy Institute, Mortgage Bankers Association, Student Loan Servicing Alliance, and Consumer Bankers Association (collectively “Financial Trade Associations”), to Marlene H. Dortch, Secretary, FCC, CG Docket No. 02-278 (filed October 20, 2025).