



May 5, 2004

Mr. Howard Beales
Director of Bureau of Consumer Protection
FTC Headquarters
600 Pennsylvania Avenue, NW - Room 532
Washington, DC 20580

RE: Proposed fee structure change related to Do Not Call Registry

Dear Mr. Beales:

The purpose of this letter is to lodge a serious concern that the proposed increase to fees for "telemarketers" associated with the Do Not Call Registry are and will continue to have the effect of interfering with effective business practices for some industries that are not classic "telemarketers."

Specifically, I wish to discuss real estate as it relates to corporate employee relocation. I represent the largest network of independent real estate firms in the country, representing 700 firms producing over \$300 billion in home sales annually, including companies ranging from "mega-brokers" like Long and Foster and Weichert in the Washington, D.C. area to many niche and boutique firms across the United States.

These brokerage firms belong to RELO[®] for the purpose of referring relocating clients to one another between cities and servicing assignments given to them from our corporate relocation management firm, which contracts with employers to handle their employee transfer administration.

I understand that consideration is being given to charging \$45 for the first five area codes, up to \$12,375. Since many of our member brokers are calling customers in other parts of the country, they could easily be charged the high end of this scale, even though they are local businesses. They are typically asked to contact a particular individual moving to their area by either a relocation company or another broker. This is not a case of "soliciting," as the individual or his/her employer has asked for the contact, but there is not yet an existing relationship. Because multiple parties are involved, many real estate firms are paying fees to ensure their protection, but these fees are becoming prohibitive and are interfering with performing a business activity that has been requested of them.

We understand and support the concept of the Do Not Call Registry for the traditional telemarketers who had become a plague to many consumers. However, consideration should be given to differentiating between the kinds of situations I am describing and cold-call solicitations. Otherwise, reputable real estate firms and agents will be severely constrained from practical business activities unless they make an exorbitant investment in Do Not Call fees.

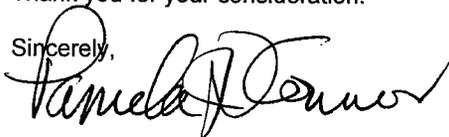
Attached are both a directory of our nearly 700 member firms and a list of the nation's top 500 residential real estate firms with RELO[®] members highlighted, to give you an idea of the scope of this group.

I understand that comments concerning the proposed rulemaking are being accepted until June 1. If you are not the appropriate individual to field such comments, would you be kind enough to forward this letter to that person at your earliest convenience?

I am happy to answer any questions you may have about the nature of our business, or put you in touch with our front-line real estate relocation departments dealing with this increasingly problematic issue.

Thank you for your consideration.

Sincerely,



Pamela J. O'Connor
President/CEO