



Pursuant to PUC SUBSTANTIVE RULE § 26.125

## ***Instructions for Application for a Texas Permit to Operate an Automatic Dial Announcing Device (ADAD)***

### General Instructions

#### **Permit Required**

A person may not use an ADAD to make a telephone call in which the device plays a recorded message when the connection is completed unless the person has a permit. A permit is required for an ADAD that is used to make a telephone call that originates or terminates in the state of Texas.

#### **Definitions**

- ★ *ADAD* – any automated equipment used for telephone solicitation or collection that (1) is capable of storing telephone numbers to be called or has a random or sequential number generator capable of producing numbers to be called and (2) alone or in conjunction with other equipment, can convey a prerecorded or synthesized voice message to the number called without the use of a live operator.
- ★ *Telephone Solicitation* – to make an unsolicited call.

#### **New Permit procedures**

New ADAD permit seekers are required to submit the Texas Permit to Operate an Automatic Dial Announcing Device (ADAD) application. New ADAD permit seekers must submit a \$50 fee (a check made out to the Public Utility Commission of Texas) with each new ADAD permit application. An ADAD permit is valid for one year after its date of issuance. New ADAD permit requests shall be made by completing the form approved by the Commission, which shall be verified by oath or affirmation of the registering party. Permit application forms may be obtained from the Central Records division of the Public Utility Commission of Texas or downloaded from the Commission website at [www.puc.texas.gov](http://www.puc.texas.gov). Subject to the Commission's Procedural Rules, the completed permit form should be filed with

Public Utility Commission of Texas  
Attention: Central Records  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

Submit the original and 3 copies of the form (**not the instructions**).

#### **Renewal Permit procedures**

**A permit approved by the PUC is valid for one year after its date of issuance.** In order to continue registration, a permit holder must submit an ADAD permit renewal form along with a \$15 renewal fee which must be filed at least 90 days prior to the expiration date of the current ADAD permit. Failure to timely file an ADAD renewal form will render the renewal application invalid. If a permit is still desired after the renewal expiration date, the ADAD permit holder will have to submit a new ADAD permit application along with the \$50 permit fee instead of the \$15 renewal fee. Renewal permit requests shall be made by using the ADAD renewal application that can be found on the Commission website at <https://www.puc.texas.gov/portal/PortalHelp.aspx>.

## Application Directions

Completely answer all questions. Failure to fully respond will delay processing. The answer “N/A” or “not applicable” in response to any question on the form and the affidavit page will be considered non-responsive and the application form may be rejected.

### TITLE PAGE

**Type of Permit.** From the dropdown box select **NEW** or **AMENDMENT** to the right of Permit Registration 2014 Permit Type (click on Choose Type).

**Applicant.** State the name, and only one name, in which the applicant wants to be issued a permit by the commission. This name will appear on the commission’s website list of permit holders. If the applicant is a corporation, the commission will register and issue its permit under the corporate or assumed name. If the applicant is an unincorporated business entity or sole proprietor, the commission will issue its permit under the assumed name unless no assumed name is provided.

**Application Contact Information (Authorized Representative, Regulatory Representative, and Complaint Representative).** Provide the name, title, address, telephone number, facsimile transmission number, and e-mail address of the person to whom communications relating to the ADAD permit should be addressed. Provide Agent for service of process if different from contact person. If you do not have a registered agent, you may act as your own agent if you are a Texas resident.

### PART A –COMPANY ADMINISTRATIVE INFORMATION

**A-1 Form of Business.** (a) Check the appropriate box on the form to indicate form of business; (b) Enter the state of incorporation or primary registration.

**A-2 Principal Company Information.** (a) Provide the registering party’s physical (primary) address; (b) Provide the registering party’s mailing address if different from physical address; (c) Provide the registering party’s Texas or Agent for Process address.

**A-3 Certificated Name(s).** Provide Primary, Legal, Assumed Business, Professional Name Certificate, and/or Texas Secretary of State Bond registration number. Provide the certificate number and date issued. If a certificate is filed in the office of county clerk, identify the county where the certificate is filed. If operating in more than one county provide the assumed name and provide information for each county. Provide Federal and or Tax I.D. **If your company is incorporated or conducting business under an assumed name, the company must file appropriately with the Texas Secretary of State**

**A-4 Directors, Officers, or Principals Information.** Provide a list of all directors, officers, or partners and for each director, officer or partner give the name, title, phone number and e-mail address.

### PART B – ADAD INFORMATION

**B-1 Number of Automatic Dial Announcing Devices (ADADs).** Provide the number of ADAD units owned or operated by the registering party

**B-2 ADAD Unit Information.** For each ADAD, identified as ADAD A, ADAD B, ADAD C, etc. for the purposes of this application provide: (a) Name of Incumbent/Competitive Local Exchange Company and long distance carrier providing connection to network. (b) Provide the physical address where the ADAD is located. (c) Provide manufacturer of ADAD unit. (d) Provide model number or computer program or cad. (e) If the ADAD unit is connected directly to the Public Switch Telephone Network (PSTN) and is governed by 47 C.F.R. Part 68, provide the Federal Registration Number issued to the ADAD manufacturer or programmer either by the Federal Communications Commission (FCC) or Administrative Council Terminal Attachments (ACTA). If the ADAD unit does not connect directly to the PSTN and is not governed by 47 C.F.R Part 68, indicate whether the dialer is a hard dialer (connected to computer) or a hosted dialer system (internet connection), provide the name of the provider (if hosted), and indicate what type of technology the dialer uses to make a telephone call.

**B-3 ADAD Number(s) and Location (County).** On TWO identical CDs, provide the 10 digit telephone number or numbers assigned to each ADAD unit, and the county where the ADAD is located. The tab delimited electronic files (Notepad or Excel files ONLY) should be named ADAD A, ADAD B, ADAD C, etc. (if there are 5 numbers or less, you may provide this information in the table provided on the form.) BE SURE THE CDS ARE PROTECTED FOR MAILING TO AVOID DAMAGE.

Tab once between the telephone number and the county (**NO SPACES**) and save as a **TEXT or EXCEL file ONLY**. **The first column should be the 10 digit number and the second column should be the name of the county where the ADAD is located.**

Example Only:	5125555555	Travis
	5125556666	Travis
	5125557777	Travis

## Instructions for Submitting Telephone Numbers Confidentially

- Two separate copies must be submitted (2 CDs if more than 5 numbers), each in a sealed 10-inch by 13-inch clasp envelope
- The labeling must follow the example in the PUC Procedural Rule §22.71(d), all information must be on the labels, and all edges be securely taped to the front of the envelopes
- Multiple pages must be stapled or in a pressboard folder
- Each page must be marked "Confidential"
- The pages must be sequentially numbered even if there is only one page being submitted in each envelope
- Submissions over 10 pages must be copied double-sided

Submit this filing and all confidential material to the address listed in the upper left corner of this application.

## SAMPLE LABEL FOR CONFIDENTIAL ENVELOPES

CONFIDENTIAL

DOCKET NO. \_\_\_\_\_

STYLE: \_\_\_\_\_

\_\_\_\_\_

SUBMITTING PARTY: \_\_\_\_\_

BRIEF DESCRIPTION OF CONTENTS: \_\_\_\_\_

\_\_\_\_\_

BATE STAMP OR SEQUENTIAL PAGE NUMBER RANGE:

\_\_\_\_\_ TO \_\_\_\_\_

ENVELOPE # \_\_\_\_\_ OF \_\_\_\_\_

ADDITIONAL INFORMATION REQUIRED BY PROTECTIVE ORDER:

\_\_\_\_\_

DATE SUBMITTED TO COMMISSION: \_\_\_\_\_

## **IMPORTANT INFORMATION**

### **Required notification of ADAD telephone number (s) or physical address changes:**

Under §26.125 (c) (2), a permit holder is required to notify the commission, by certified mail, in the required format, of telephone number or physical address changes no later than 48 hours before the hour at which the ADAD will begin operation with the new telephone number(s) or new address. **REQUIRED FORMAT:** Fully answer Part B1 and B2 and supply 2 computer CDs as describer in Part B-3.

**Certain information collected by the Public Utility Commission (commission) from an individual about the individual may be made available to third parties. Information submitted to us electronically, by fax or through the mail, will be disclosed to staff to assist us in fulfilling our official duties. The information may also be sent to others as required by law or regulation and to other governmental agencies involved in the administration or enforcement of the matter. The information will not be disclosed to third parties, except as required to perform official duties unless the commission receives a request and discloses the information pursuant to the "Open Records Act", Chapter 552, Tex. Gov't. Code. The commission will not market any information that it collects. With few exceptions, you are entitled to be informed about the information that the commission collects about you. Under the Open Records Act you are entitled to receive and review this information. Please direct such a request to [open.records@puc.texas.gov](mailto:open.records@puc.texas.gov). Under Tex. Gov't. Code. § 559.004, you are entitled to have the commission correct any information about you that is incorrect. If you determine that the commission has recorded information about you incorrectly, you may request a correction by filing your request at [customer@puc.texas.gov](mailto:customer@puc.texas.gov)**

## **AFFIDAVIT**

The owner, partner or office of the registering party must swear to the truthfulness, correctness, and completeness of the information provided in the Permit form and any supporting documentation via notarized affidavit.