



# TENNESSEE REGULATORY AUTHORITY



460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

## MEMORANDUM

TO: James M. Allison, Chairman  
Herbert H. Hilliard, Vice Chairman  
David Jones, Director

FROM: Stacy Balthrop, Compliance Officer   
Shiva K. Bozarth, Counsel 

DATE: December 3, 2012

RE: Docket No. 12-00146

AGENDA: This matter is scheduled for the February 13, 2013 Authority Conference.

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Investigative staff requests that a Hearing Officer be appointed to determine whether a Show Cause should be initiated against Olen Miller/DBA/Direct Marketing Travel Services, Inc. for unsolicited phone calls to Tennessee consumers. Investigative staff has determined that during the period of May 4, 2012 through November 11, 2012, the Consumer Services Division (CSD) received twenty (20) complaints from nineteen (19) consumers against Direct Marketing Travel Services, Inc. alleging violations of Tenn. Code Ann. §65-4-401 *et seq.* also known as Do-Not-Call law. A list of complaints is attached. The CSD Staff opened an investigation that ultimately revealed that these companies are owned by Olen Miller.

Because Mr. Miller stopped cooperating during the investigation, the Investigative Staff consisting of Charles Pemberton, Bert Chalfant, Stacy Balthrop, and Shiva Bozarth, recommends that the Authority appoint General Counsel, or her designee, as Hearing Officer in this matter for the purpose of (1) issuing a Show Cause Order to determine why the Tennessee Regulatory Authority should not sanction Mr. Miller and the other Respondent's for alleged violations of Tenn. Code Ann. §65-4-401 *et seq.*; and (2) preparing this matter for hearing.

Attachment: List of complaints (Redacted)

**APPENDIX****DIRECT MARKETING****Complainants who received unsolicited telephone calls****Violation Dates**

REDACTED	4/30/2012
REDACTED	5/10/2012
REDACTED	5/22/2012
REDACTED	6/5/2012
REDACTED	6/1/2012
REDACTED	6/7/2012
REDACTED	6/25/2012
REDACTED	7/25/2012
REDACTED	6/26/2012
REDACTED	7/5/2012
REDACTED	7/17/2012
REDACTED	7/17/2012
REDACTED	7/22/2012
REDACTED	7/26/2012
REDACTED	8/16/2012
	8/23/2012, 8/9/2012, 6/4/2012
REDACTED	8/6/2012
REDACTED	11/4/2012
REDACTED	11/5/2012
	11/11/2012