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TENNESSEE REGULATORY AUTHORITY

502 Deaderick Street, 4th Floor
Nashville, Tennessee 37243
Telephone (615) 741-2904

MEMORANDUM

To: Docket No. 14-00031

From: Jerry Kettles, Chief, Compliance Division *JK*

Shiva K. Bozarth, Legal Counsel *SKB*

Date: March 20, 2014

Re: Request to appoint a Hearing Officer to initiate a show cause proceeding against Air Duct Cleaning Services for violations of the Do-Not-Call law

Purpose of Memorandum:

Request that this matter be placed upon the agenda of the next scheduled Authority Conference to request that a hearing officer be appointed in this matter.

Background:

The Consumer Services Division ("CSD") alleges that during the period of July 1, 2013 to July 17, 2013, Air Duct Cleaning Services made or caused to be made eight (8) telephone sales or marketing calls to Tennessee consumers on the Tennessee Do-Not-Call registry in violation of Tenn. Code Ann. §65-4-401 *et. seq.* ("Tennessee Do-Not-Call law"). Air Duct Cleaning Services is not registered as a solicitor with the Authority. The Tennessee Do-Not-Call law requires that all individuals making or causing to be made sales or marketing calls to Tennessee consumers must be registered as a solicitor with the Authority.

Recommendation:

Because Air Duct Cleaning Services has failed to comply with the Tennessee Do-Not-Call law, the Investigative and Compliance Staffs consisting of Jimmie Hughes, Slayde Warren, Jerry Kettles, and Shiva Bozarth, recommends that the Tennessee Regulatory Authority place this matter on the agenda for the next Authority Conference and request the appointment of a hearing officer.