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October 13, 2016

**Ex Parte**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: Protecting the Privacy of Customers of Broadband and Other Telecommunications Services, WC Docket No. 16-106**

Dear Ms. Dortch:

On October 11, 2016, Karen Zacharia, Maggie McCready, and I from Verizon met with Amy Bender, legal advisor to Commissioner O'Reilly, to discuss the Commission's broadband privacy proceeding. During the meeting, we discussed the benefits of a sensitivity-based approach to privacy and data security. We further encouraged the FCC to follow the FTC's approach with respect to de-identified data.

We also explained why broadband providers should be permitted to market their services to their own customers without first obtaining opt-in or opt-out consent. Specifically, we described how customers reasonably assume that they will receive marketing from businesses that they purchase service from. If consumers do not want to receive such marketing, they may opt-out of marketing using other mechanisms, such as companies' Do Not Call lists.

In addition, we encouraged the Commission to allow providers to share information with affiliates provided such affiliates honor consumers' choices concerning use of their information. We explained that broadband providers often operate under complex corporate structures that rely on affiliates to handle different but related tasks. Regardless of whether customer data is held by the entity providing service or an affiliate, the corporation as a whole has the obligation and incentive to protect the data and to use it according to the customer's choices.

We also noted that the law clearly allows arbitration clauses in consumer contracts and that FCC need not address this issue. We talked about the benefits of harmonizing the privacy rules that would apply to both voice and broadband telecommunications services and how different rules for voice and broadband services will cause confusion for both consumers and providers. We encouraged the Commission to allow business customers to bind themselves to alternative privacy and data security regimes as their privacy and data security needs may differ from those of consumers. Finally, we noted the need for an implementation period of at least 18 months.

Sincerely,

cc: Amy Bender