



October 16, 2018

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: Ex Parte Presentation, WC Docket No. 18-28; CC Docket No. 95-155; WT Docket No. 08-7

Dear Ms. Dortch,

On October 12, 2018, Tom Power, Scott Bergmann, and Matthew Gerst of CTIA met with Nirali Patel of Chairman Ajit Pai's office with regard to the above-captioned proceedings.

During the meeting, CTIA noted that the text messaging ecosystem remains a trusted (i.e. least polluted) communications medium among consumers because text messaging providers, including wireless carriers, actively manage their platforms to protect consumers from unwanted messages.¹ For this reason, CTIA reiterated that the Commission's recent *Text-Enabled Toll Free Number Declaratory Ruling*² is sufficient to protect toll-free subscribers in the vibrant, competitive and

¹ See, e.g., Comments of CTIA, WC Docket No. 95-155, WT Docket No. 08-7, at 3-6 (filed Dec. 5, 2016); Letter from the National Association of Black County Officials to the Honorable Tom Wheeler, Chairman, FCC, WT Docket No. 08-7, at 1 (filed Dec. 17, 2015) ("Text messaging provides the consumer with a level of convenience and trust that typical voice calling does not. Wireless carriers ensure that consumers enjoy the convenience and relative trust of texting by filtering messages for unwanted spam, malicious messaging, and other fraudulent activity."); Comments of the American Consumer Institute, WT Docket No. 08-7, at 3 (filed Nov. 17, 2015) ("[W]hile 20-25% of emails are opened within 24 hours, 90% of SMS messages are opened within 15 minutes. This is because consumers can rely on these services to be generally free and safe and trusted communications." (internal citations, quotations omitted)).

² *Text-Enabled Toll Free Numbers, Declaratory Ruling and Notice of Proposed Rulemaking*, FCC 18-77 (rel. June 12, 2018) (*Text-Enabled Toll Free Number Declaratory Ruling or Text-Enabled Toll Free Number NPRM*); see also *Wireline Competition Bureau Announces Comment and Reply Comment Dates for Notice of Proposed Rulemaking*



innovative messaging marketplace, and that further Commission action is unnecessary to maintain the rights of toll-free subscribers and protect consumers from unwanted messages. Further, as CTIA has amply demonstrated in past filings, text messaging is an interstate information service³ – and the record confirms that the *Text-Enabled Toll Free Number NPRM*'s proposal to impose regulations in the messaging market would be inconsistent with the Commission's light-touch regulatory approach to interstate information services.

Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed in ECFS and provided to the Commission participants. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

/s/ Scott K. Bergmann

Scott K. Bergmann
Senior Vice President, Regulatory Affairs

cc: Niarli Patel

on Text-Enabled Toll Free Numbers, Public Notice, DA 18-765 (WCB rel. July 24, 2018) (announcing deadlines for filings in response to the *NPRM*).

³ Opposition of CTIA – The Wireless Association, WT Docket No. 08-7, at 32-48 (filed Nov. 20, 2015); see *also* CTIA Reply Comments in Opposition, WT Docket No. 08-7, at 19-25 (filed Dec. 21, 2015).