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May 31, 2018

Ex Parte

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-84

Dear Ms. Dortch:

The Commission has proposed a framework for streamlining applications to discontinue legacy voice services under which providers could use either the “adequate replacement test” or a new “alternative options test.”¹ But it should reject ADT Security Services (“ADT”) and Alarm Industry Communications Committee’s (“AICC”) recent proposals to add “interoperability and compatibility” requirements to the alternative options test² because doing so would deny providers the flexibility intended by the Commission in this proceeding to facilitate network transitions and usher in more advanced services that will benefit consumers. Alarm companies today have long recognized that consumers have already widely adopted alternatives to traditional POTS services and work with providers to ensure that alarms work over these systems; adopting new requirements in the alternative options test ignores the realities of today’s technologies.

¹ See *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, Draft Second Report and Order, WC Docket 17-84, FCC-CIRC1806-02, ¶¶ 29-31 (May 17, 2018) (“Draft Order”).

² See ADT *Ex Parte* Letter, WC Docket No. 17-84 (May 23, 2018); ADT *Ex Parte* Letter, WC Docket No. 17-84 (May 25, 2018); AICC *Ex Parte* Letter, WC Docket No. 17-84 (May 31, 2018).

ADT tries to resuscitate claims about the efficacy of alarm systems with VoIP and wireless networks that have long been put to rest. For example, in 2014, alarm companies feigned concern about the use of their systems with non-line powered systems.³ But as we explained then,⁴ we are not aware of alarm systems not working over fiber-based technologies. Millions of customers across the country have used and continue to use alarm systems supported by fiber and cable-based technology.

In fact, ADT and alarm companies have for a long time recognized that alarm systems are operable with interconnected VoIP. For example, almost twelve years ago ADT announced that “more than 25 IP-based telephone services providers throughout the United States have confirmed their phone networks meet the characteristics required by ADT to be the primary method of transmitting alarm signals to ADT’s Customer Monitoring Centers.”⁵ ADT concedes that these companies “represent nearly all of the digital phone services markets and provide coverage to nearly every region of the United States.”⁶ ADT’s customers may “use a phone service provided by a Qualified Managed Facility Voice Network (“MFVN”) as a primary means of transmitting burglar alarm signals to ADT’s 24-hour Customer Monitoring Centers.”⁷ ADT also lays out a process by which new IP-based phone service providers may become qualified to work with ADT systems.⁸

For example, as we explained last year, Verizon’s Fios network was designed “to carry voice, facsimile, TTY, *alarms*, and other services and to do so seamlessly and transparently for our customers who had previously been served over copper facilities.”⁹ We’ve also noted previously that Fios systems support medical monitoring systems as well as alarms.¹⁰ In

³ See, e.g., Comments of the AICC, *Wireline Competition Bureau Short Term Network Change Notification filed by Verizon New York, Inc.*, Report No. NCD-2376, at 2 (July 23, 2014), <https://docs.fcc.gov/public/attachments/DOC-328431A1.pdf>.

⁴ See, e.g., Verizon Response, *Wireline Competition Bureau Short Term Network Change Notification filed by Verizon New York, Inc.*, Report No. NCD-2376, at 2 (July 30, 2014), <https://docs.fcc.gov/public/attachments/DOC-328767A2.pdf> (“There is no change in the underlying features and functionalities in their service: voice mail, collect calling, and other features will continue to work just as they did over copper; customers will continue to be able to use fax machines, medical monitoring devices, and home alarms; and accessibility services[.]”)

⁵ Press Release, *ADT Expands List of Next Generation Phone Services Providers That Can Support Security System Monitoring* (Jan. 16, 2007), <http://news.adt.com/phoenix.zhtml?c=254250&p=irol-newsarticle&ID=2118136> (last visited May 31, 2018).

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

⁹ Verizon *Ex Parte* Letter, WC Docket No. 17-84, at 2 (Oct. 19, 2017) (emphasis added).

¹⁰ Verizon Reply Comments, WC Docket No. 13-5, at 11 (Nov. 24, 2015); Verizon *Ex Parte* Letter, WC Docket No. 13-5, at 2 (June 2, 2014).

particular, as Verizon has explained on its website, Fios Digital Voice may be used with multiple security systems: “Home security systems using an in-house jack can be used for Fios Digital Voice without impacting security services.”¹¹ And Fios Digital Voice has been an approved MFVN service provider with ADT since 2007.¹²

In addition to supporting alarm systems that use wired VoIP, alarm companies also support wireless options. For example, in 2015, Alarm.com announced that it would provide home security solutions over Verizon’s 4G LTE network.¹³ Similarly, ADT has already pervasively deployed its offerings over wireless and fiber options.¹⁴ ADT touts the reliability of wireless alarm systems, stating that “[a] wireless home security alarm system from ADT adds convenience” for consumers.¹⁵ ADT also offers a wireless medical alert system that “eliminates the need for a traditional phone line.”¹⁶ ADT says that wireless systems can be less expensive than wired systems, expanded as needed, and are a great alternative for some customers.¹⁷

Given alarm companies’ emphasis on the ease of using alarm systems with both wireless and VoIP options – and consumers’ acceptance of these approaches – the Commission should not accede to the alarm companies’ request to add additional requirements to the new alternative options test. Further, should any actual issue arise in practice, streamlined treatment under the alternative options test does not mean that a discontinuance application is immune from review. The Commission retains the ability to remove an application from streamlined treatment if parties raise valid concerns regarding the “interoperability” and “compatibility” of a specific replacement service. Concerned parties may file comments or objections for the Commission to consider and the Commission may then further investigate those claims.¹⁸

¹¹ See <https://www36.verizon.com/fiosvoice/FAQ.aspx> (last visited May 31, 2018); see also Verizon *Ex Parte* Letter, WC Docket No. 17-84, at 2 (Apr. 26, 2018).

¹² ADT Residential Marketing Update, *Verizon FIOS Phone Service is Now “In-Policy” for ADT Residential Alarm Signal Communications!* (Sept. 14, 2007) (attached at Exhibit A).

¹³ See Alarm.com Press Release, *Alarm.com and Verizon Launch Over LTE for Enhanced Smart Home Security* (Oct. 20, 2015), <http://www.alarm.com/about/press/PressGeneric.aspx?cmid=241> (last visited May 31, 2018).

¹⁴ See, e.g., ADT, *Rest Easy with a Wireless Home Security Service*, <https://www.adt.com/wireless-security> (last visited May 30, 2018).

¹⁵ *Id.*

¹⁶ See <https://www.adt.com/health/products#plus> (last visited May 31, 2018).

¹⁷ See [ADT.com/resources/understanding-wireless-home-security-systems](https://www.adt.com/resources/understanding-wireless-home-security-systems) (last visited May 31, 2018).

¹⁸ See Draft Order ¶ 36 (“[C]ustomers that have concerns about a particular carrier’s stand-alone interconnected VoIP replacement service may still file comments or objections to that carrier’s discontinuance application, and the Commission will evaluate those comments or objections to determine whether to remove the application at issue from streamlined processing for further evaluation under the traditional five-factor test.”).

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For the reasons discussed above, the Commission should refrain from adding the additional new requirements ADT and AICC suggest to the alternative options test.¹⁹

Very truly yours,

A handwritten signature in black ink, reading "Katharine Saunders". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Katharine R. Saunders

cc:	Daniel Kahn	Terri Natoli
	Lisa Hone	Celia Lewis
	Michele Berlove	Megan Capasso

¹⁹ While the Commission's final rule "need not be the one proposed in the NPRM," *Agape Church, Inc. v. FCC*, 738 F.3d 397, 411 (D.C. Cir. 2013), it must "be a 'logical outgrowth' of its notice." *Covad Commc'ns. Co. v. FCC*, 450 F.3d 528, 548 (D.C. Cir. 2006). As the D.C. Circuit has held, "an NPRM satisfies the logical outgrowth test if it 'expressly ask[s] for comments on a particular issue or otherwise ma[kes] clear that the agency [is] contemplating a particular change.'" *United States Telecom Ass'n v. FCC*, 825 F.3d 674, 700 (D.C. Cir. 2016) (quoting *CSX Transp., Inc. v. Surface Transp. Bd.*, 584 F.3d 1076, 1081 (D.C. Cir. 2009)).

Exhibit A

Residential Marketing Update



Date:
Sept. 14, 2007

To:
Residential Sales
Teams

Re:
Verizon FIOS
Service In-policy

Category:
Residential Sales &
Marketing Support

CC:
John Koch, Deb
Coller, Steve
Gribbon, Joe
McConnell, Chad
Richard, Tim
McKinney, Sue
Adomaitis, Jim
Mooney, Vice
Presidents, Regional
Vice Presidents,
Area Sales
Managers, Branch
Managers,
Residential Sales
Managers, Resale
Sales Managers,
and Corporate
Distributions

**Contact
Information:**
Kevin O'Brien
561-988-3607
kevinobrien@adt.com

Verizon FIOS Phone Service is Now “In-Policy” for ADT Residential Alarm Signal Communications!

The ADT VoIP/Digital Phone Policy was modified in October 2006 to allow qualified alternate phone services to become approved providers of ADT residential alarm signal communications. Since that time more than 90% of our customers in America with a digital phone service from a large cable or telecommunications company have been able to let their alarm systems communicate with ADT using their new digital phone service.

The last significant phone service to opt in to having the designation of an “approved MFVN provider” is Verizon FIOS. They opted in this week. This is certainly welcome news for ADT residential sales representatives in areas of the country where Verizon is rolling out their Verizon FIOS service.

A few additional notes:

- Please continue to reference the list of approved services provided by zip code on the “VoIP/Digital Phone Info Page” on InsideADT (<http://www.insideadt.com/main/sales/VOIP/>). By Monday, Sept. 17th this tool should reflect this great news from Verizon.
- Any ADT employees that are not familiar with ADT’s “VoIP/Digital Phone Policy” should download it from the info page (same link as shown above) and review it. FAQs are also available on that page.
- Cellular backup is still recommended for customers that have an approved alternate phone service but it is no longer required.
- Separate guidelines exist for commercial customers. Please reference the ADT policy for more information.
- The companies shown on the next page have phone services that are “in-policy” as of September 14, 2007.



ADT Always There®

The following companies have phone services that are “in-policy” for residential alarm communications as of September 14, 2007. Please note that the actual name of the phone service has to be confirmed. (For example, customers using Comcast High Speed Internet but also using Skype or Vonage phone service do not have a qualified phone service. Customers using Comcast Digital Voice phone service do have a qualified phone service.)



ADT Always There®