



Ex Parte Filing

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: CC Docket No. 95-155 Toll Free Service Access Codes;
CC Docket No. 96-115 Telecommunications Carrier's Use Of Customer
Proprietary Network Information And Other Customer Information
CC Docket No. 17-192 Toll Free Assignment Modernization
CC Docket No. OEA 19-101 Auction of Toll Free Numbers in the 833 Code

Dear Ms. Dortch:

On July 24, 2019 the undersigned of Ignition Toll Free met (via telephonic bridge) with Randy Clarke Acting Legal Advisor, Wireline and Public Safety for the office of Commissioner Geoffrey Starks.

The purpose of the teleconference was to provide additional information related to a teleconference that was held with Mr. Clarke on June 13, 2019 (See [Ex Parte 6/13/19](#)).

We discussed that the following items during this teleconference:

Consent and how it should apply to calls using coarse/imprecise location data:
Since coarse/imprecise location data does not reveal a caller's location in a way that violates a caller's reasonable expectation of privacy and because the caller initiates the call, the caller's consent should be viewed as implied following the same logic posed by the recent [CTIA guidelines on Messaging and Best Practices](#).

The CTIA states the following on Page 12, Exhibit II:

Conversational Informational Promotional Messaging - Implied consent - *If the Consumer initiates the text message exchange and the business only responds to each Consumer with relevant information, then no verbal or written permission is expected.*

Lack of location data is impacting Public Safety/Health and Human services:
Currently no entities are receiving any form of location data, including those related to public safety. Specific examples include groups related to suicide prevention and poison control. These groups have indicated that having access to coarse/imprecise location data would remove two steps from their current call



flow and significantly reduce the time needed to connect callers to their nearest emergency dispatch center.

A Public Safety/Health Human Services Exception for Location Data would not adequately protect the public: Such an exception would omit many legitimate use cases that protect the public. For example, a company that specializes in roadside assistance might not qualify for such an exception even though the speed in which their calls are connected could be just as important.

Coarse/Imprecise location data should be made available for the limited purpose of routing calls: Because coarse/imprecise location data does not reveal a caller's location in a way that violates a caller's reasonable expectation of privacy it should be made available for the limited purpose of routing calls.

The Network Advertising Initiative Guidelines on Imprecise Location Data:

These guidelines provide helpful information to better understanding

Coarse/Imprecise Location data:

https://www.networkadvertising.org/sites/default/files/NAI_ImpreciseLocation.pdf

Our request to resolve this issue during the August Open Commission Meeting:

We are respectfully asked that Commissioner Starks comment on this issue during the August Open Commission meeting indicating that the lack of coarse/imprecise location data negatively impacts the value of toll-free numbers by limiting their utility and that the wireless carriers should make it available for the limited purpose of routing calls.

Not having coarse/imprecise location data will result in millions of calls not reaching their proper destination every year. The failure to properly connect calls will destroy American's faith in our nation's telecommunication's network.

Sincerely,

A handwritten signature in black ink, appearing to read "Barry J. Starks".

cc (via email):

Randy Clarke