**Before the**

**Federal Communications Commission**

**Washington, D.C. 20554**

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| In the Matter of  Restoring Internet Freedom | )  )  )  )  )  ) | WC Docket No. 17-108 |

**REPLY COMMENTS OF THE ADT CORPORATION**

The ADT Corporation (“ADT”), having previously submitted comments[[1]](#footnote-1) responding to the Notice of Proposed Rulemaking (“Notice”) in the Restoring Internet Freedom proceeding, hereby submits the following reply comments for the Commission’s consideration. As previously explained, the Commission must preserve regulations that ensure that emergency and alarm data transmission remain able to travel across broadband networks without the threat of blocking or deprioritization by Internet Service Providers (“ISPs”).

ADT is the nation’s largest provider of home and business automation and alarm monitoring services in the United States, serving more than seven million residential and commercial customers. ADT offers a wide range of services for: i) residential security, including burglar alarm monitoring, fire and smoke monitoring, carbon monoxide monitoring, flood and temperature monitoring, panic buttons, and video; ii) small and large businesses, including intrusion detection and monitoring, access control systems and management, video surveillance, and automated business control tools; iii) home and business automation; and iv) home health, including push of a button assistance and 24/7 monitoring. Nationwide, there are six ADT-operated monitoring centers, which provide 24/7 service and notify local police, fire and emergency services when alarm data is received.

With millions of comments submitted in response to the proposed Notice addressing many competing viewpoints and concerns, it is telling that absolutely no one disagrees that emergency and life safety service messages transmitted between both residential and commercial customer premises and alarm service company facilities must always be protected and preserved from degradation, throttling and deprioritization by ISPs.

This is an issue of obvious public importance. Individuals, families, schools, businesses, commercial / industrial properties and governments all depend upon properly functioning alarm services. Alarm data communications save lives and protect the well-being of families and businesses by alerting emergency service responders to a fire, carbon monoxide poisoning, a break-in, or a medical emergency. Emergency service responders in turn rely upon the critical, first-in-time messaging provided by alarm services to initiate, update and sometimes cancel emergency dispatch requests. For all these reasons, alarm data transmitted between the customer’s premises and alarm monitoring centers, including alarm alerts, medical alerts, equipment status updates, surveillance footage and video verification, absolutely requires secure, timely and reliable communications.

Any deprioritization or slowing of this data would not just be unconscionable, it is a matter of life and death. Thus, a regulatory framework that prevents discrimination against alarm emergency and life-saving services, applications, products or providers, and supports interoperability, security, and privacy, is inarguably in the nation’s best interest. To that end, ADT strongly opposes any regulatory rollback that would allow for ISP blocking, throttling and / or deprioritization of alarm and life safety data.

As telecommunications providers continue to phase out traditional telephone networks, alarm and home health monitoring systems rely more and more upon unfettered access to customer-provided broadband and mobile networks, such as the Internet. Incompas[[2]](#footnote-2) correctly notes that “traditional forms of services, like real estate brokerage, and traditional devices, like automobiles or alarm systems, will increasingly depend on the use of broadband networks.” Many of these systems already do rely upon broadband networks for connectivity. As the California Public Utilities Commission[[3]](#footnote-3) correctly highlights the problems that arise with the increasing reliance on broadband transmission: “broadband transmission facilities present the most likely bottlenecks that could be used to effectively limit consumer choice among content, applications, services, and devices. In addition, a free and open Internet is critical to areas such as energy, education, medicine, and public safety. Given the importance of an open Internet in our society, strong non-discriminatory net neutrality rules are necessary to ensure consumers can enjoy unfettered access to the Internet.”

Nokia[[4]](#footnote-4) suggests that prioritized voice service, which consists of “marking the voice packets as ‘highest priority’ and expediting the forwarding of these packets using the highest priority class (which is served before *any* other traffic)” could be an effective model for ensuring that “e-health and e-learning, and remote monitoring / security services, all of which depend on such interactive communications services” are protected in this environment. ADT whole-heartedly agrees that life safety and public safety data must always receive the highest level of prioritization, but without additional costs imposed by ISPs. As many ISPs now offer competing alarm services, they certainly have the ability and incentive to degrade competing alarm service signals in favor of their own and to raise the costs of their competitors. Absent protections, broadband providers would be free to block a particular alarm service provider’s messaging content and to discriminate amongst competing alarm service providers. Accordingly, the Commission should use regulation to safeguard alarm providers’ and their customers’ ability to access and use reliable broadband connections in a non-discriminatory basis.

ADT thus agrees with AARP[[5]](#footnote-5) that “The need for a bright-line rule addressing throttling is even more urgent given the growing variety of services into which broadband ISPs are expanding. Broadband providers are currently taking positions in key industries that may result in their gaining competitive advantage in areas such as home automation, smart grid, “Internet of Things,” and medical monitoring. Absent policies that manage ongoing market power in last-mile broadband networks, the growth of these technologies and related network effects that can arise from broadband will be limited. Unless the Commission delivers pro-competition and pro-innovation regulatory certainty, the exponential growth in economic benefits that have been enabled by an open Internet to date will be threatened, and the foundation of future network effects will be handed to broadband gatekeepers who have the power to shape technology for narrow gain.” [[6]](#footnote-6) AARP further notes that “without non-discriminatory rules, providers of emergency services or public safety agencies might have to pay extra for their traffic to have priority. If states, cities, and counties were required to pay for priority access, their ability to provide comprehensive, timely information to the public in a crisis could be profoundly impaired.” We share AARP’s concerns regarding what might happen without strong protections for public safety and life safety services.

We finally note that Century Link, a large ISP with an electronic security service that competes with ADT’s services[[7]](#footnote-7) also agrees. Century Link, in opposing regulation of BIAS under Title II, fully supports the Commission’s authority to oversee emergency communications infrastructures and programs, as evidenced by its filing: “Whether providing support to States for the deployment of emergency communications infrastructures, ensuring the use of 9-1-1 as the universal emergency telephone number within the U.S., or providing regulatory oversight for the TSP System, it is apparent that they Commission has a well entrenched, statutorily-based role in the public safety area.” [[8]](#footnote-8) ADT couldn’t agree more, and supports Century Link’s call for measures to “ensure the continuation of public safety programs and services that the nation has come to rely on.”[[9]](#footnote-9)

CONCLUSION

Tomorrow’s public safety and lifesaving services such as home alarm systems, school and business security, and disaster alert data will certainly depend on access to reliable broadband networks. To ensure the health and safety of consumers, alarm data must travel across broadband networks without the threat of blocking or deprioritization. As the largest provider of home and business automation and alarm monitoring services in the United States, ADT asks the Commission to adopt rules consistent with its concerns.

Respectfully Submitted,

THE ADT CORPORATION

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| Holly Borgmann  Head of Government Affairs  The ADT Corporation  1501 Yamato Road  Boca Raton, FL 33431 | */s/ Frank Cona*  Frank Cona  Vice President, Chief IP Counsel and Chief Privacy Officer  The ADT Corporation  1501 Yamato Road  Boca Raton, FL 33431 |

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1. The ADT Corporation Comments (July 17, 2017): <https://www.fcc.gov/ecfs/filing/10717214980472> [↑](#footnote-ref-1)
2. Incompas Comments at 2 (July 17, 2017): <https://ecfsapi.fcc.gov/file/10717259472168/INCOMPAS--RIF%20Comments%20WC%20Docket%20No.%2017-108%20(July%2017%2C%202017).pdf> [↑](#footnote-ref-2)
3. California Public Utilities Commission Comments at 27-29(July 17, 2017): <https://ecfsapi.fcc.gov/file/107172199528427/WC%20Docket%20No.%2017-108%20CPUC%20Comments%20on%20Restoring%20Internet%20Freedom.pdf> [↑](#footnote-ref-3)
4. Nokia Comments at 10 (July 17, 2017): <https://ecfsapi.fcc.gov/file/10717861707847/Nokia%20Comments%20Internet%20Freedom%20FINAL%20July%202017%20Final.pdf> [↑](#footnote-ref-4)
5. AARP Comments at 20 (July 17, 2017): <https://ecfsapi.fcc.gov/file/10717106187524/AARP_Net_Neutrality_Comments_GN_17-108_7-17-17.pdf> [↑](#footnote-ref-5)
6. At 20 AARP (July 17, 2017): <https://ecfsapi.fcc.gov/file/10717106187524/AARP_Net_Neutrality_Comments_GN_17-108_7-17-17.pdf> [↑](#footnote-ref-6)
7. <http://www.centurylinksecurity.biz/> [↑](#footnote-ref-7)
8. Century Link Comments at 54-55 (July 17, 2017): <https://ecfsapi.fcc.gov/file/1072111667250/170717%20CTL%20Coms-Refiled%20072117%20WC%2017-108%20FINAL.pdf> (Pages 54-55) [↑](#footnote-ref-8)
9. *Id.* [↑](#footnote-ref-9)