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September 20, 2018

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

Re: Petition for Clarification of the P2P Alliance
Notice of *ex parte* presentations, CG Docket No. 02-278

Dear Ms. Dortch:

On September 18 and 19, 2018, members of the P2P Alliance (“Alliance”) from Hustle Corporation (Co-Founder and CEO Robert Lindsay, Vice President for Public Affairs LaToia Jones and Chief of Staff Kia Kolderup-Lane) and Co-Founder and Chief Technology Officer of Opn Sesame LLC Mia Hunsicker,¹ along with Howard Waltzman, Michael Leibner, and the undersigned of Mayer Brown LLP, participated in Commission meetings as follows:

September 18, 2018

- Commissioner Michael O’Rielly, Legal Advisor Arielle Roth, and legal intern Kagan Despain;
- Consumer and Governmental Affairs Bureau Chief Patrick Webre, Deputy Chief Mark Stone, Legal Advisor Dan Margolies, Consumer Policy Division Chief Kurt Schroeder, and Division Attorney/Advisor Christina Clearwater; and
- Commissioner Brendan Carr and Chief of Staff Jamie Susskind.

September 19, 2018

- Travis Litman, Chief of Staff to Commissioner Rosenworcel; and
- Chairman Ajit Pai, Legal Advisor Zenji Nakazawa, and legal intern Jamison Broggi.

In our meetings, we introduced the P2P Alliance, a coalition of peer-to-peer (“P2P”) text messaging service providers and users of P2P texting platforms. We explained that P2P texting allows organizations to communicate with students, employees, neighborhood residents, voters, and customers through individualized, person-to-person text messages that provide individuals with timely, relevant information.

¹ Ms. Hunsicker attended all meetings except that with Commissioner O’Rielly and his staff.

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Consistent with our pending petition,² in each of these meetings, the Alliance requested that the Commission clarify that use of P2P text messaging is not subject to the Telephone Consumer Protection Act of 1991³ because such texts are manually sent from one individual to another. P2P text messaging requires one person to actively and affirmatively transmit each message one-at-a-time to each recipient. And, thereafter, the sender and the recipient both benefit from the ability to continue their unique dialogue.

Pursuant to Section 1.1206(b) of the Commission's rules, I am filing this notice electronically in the above-referenced docket. Please contact me directly with any questions.

Sincerely,

/s/

Angela E. Giancarlo
Counsel to P2P Alliance

cc: Chairman Ajit Pai
Commissioner Michael O'Rielly
Commissioner Brendan Carr

Jamison Broggi
Christina Clearwater
Kagen Despain
Travis Litman
Dan Margolies
Arielle Roth
Kurt Schroeder
Mark Stone
Jamie Susskind
Patrick Webre
Zenji Nakazawa

² See *Consumer and Governmental Affairs Bureau Seeks Comment on the P2P Alliance Petition for Clarification Under the Telephone Consumer Protection Act*, Public Notice DA 18-547 (rel. May 23, 2018).

³ 47 USC § 227.