

March 20, 2014

Via Electronic Filing

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

Re: Notice of Ex Parte In the matter of *Ensuring Customer Premises Equipment Backup Power for Continuity of Communications* (PS Docket No. 14-174); *Technology Transitions* (GN Docket No. 13-5); *Policies and Rules Governing Retirement of Copper Loops by Incumbent Local Exchange Carriers* (RM 11358); *Special Access for Price Cap Local Exchange Carriers* (WC Docket No. 05-25); *AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services* (RM-10593)

Dear Ms. Dortch:

On Wednesday, March 18, 2015, Paul Plofchan, ADT Vice President for Government and Regulatory Affairs and Steve Shapiro, ADT Vice President for Industry Relations, along with Geoff Why of Mintz Levin and Rachel Sanford of ML Strategies, met with Matt DelNero, Daniel Kahn, and Heather Hendrickson of the Wireline Competition Bureau and Linda Pintro, Jerome Stanshine, Chuck Needy, and John Healy of the Public Safety and Homeland Security Bureau.

ADT thanks the Wireline Competition and Public Safety and Homeland Security Bureaus for addressing important technology transitions issues in the above mentioned proceedings.

The IP Transition has the potential to affect life safety services and connections to first responders operated by ADT and the thousands of smaller companies that make up the electronic security industry. As the leader in the industry, ADT has a responsibility to advocate for policies that balance the needs of our customers and our industry, with the need to adapt to new technological advancements.

As noted in the NPRM, ADT continues to work with relevant stakeholders, including broadband network providers, to ensure Managed Facilities Voice Network (MFVN) standards are met.¹

¹ *Ensuring Customer Premises Equipment Backup Power for Continuity of Communications; Technology Transitions; Policies and Rules Governing Retirement of Copper Loops by Incumbent Local Exchange Carriers; Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, Notice of Proposed Rulemaking and Declaratory Ruling, PS Docket No. 14-174, GN Docket No. 13-5, RM-11358, WC Docket No. 05-25, RM-10593, FCC 14-185, ¶ 101 (rel. Nov. 25, 2014).

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These agreements are carefully negotiated between parties in order to ensure the technical specifications are in place in order for life safety systems to operate effectively. For example, filings in this docket by both ADT² and AT&T³ reflect the type of principles usually included in MFVN agreements between alarm services providers and telecommunications service providers.

As ADT is the largest provider of home alarm services – and is in the position to negotiate these types of agreements with larger telecommunications service providers –millions of ADT customers benefit. In order to extend these benefits to the millions of customers of the over ten thousand small businesses in the alarm industry, the MFVN principles should be recognized by the Commission in rules. This would be beneficial for companies and consumers alike and ensure the process does not have to be repeated for every future technology transition. As such, any rule recognizing MFVN principles should remain technology neutral.

ADT appreciates that it is a priority of Chairman Wheeler to maintain competition where it exists. Consumer communication during the IP Transition is of the utmost importance in order to protect competition and prevent consumer confusion. The transition creates a distortion in the marketplace. ADT accepts this as necessary but believes the Commission should implement a bright line rule to ensure that marketing communications are kept separate from the guidance provided about the technology transition, and out of the transition service visit itself. The main issue here is not whether telecommunications service providers can engage in marketing/up-selling consumer communications, but rather it is about how and when. The proposed rule provides sufficient allowances for telecommunications service providers to communicate with the consumer for both informational and marketing purposes. For example, the second postage rule outlined in ADT's Comments⁴ ensures public service announcements required by Transition rules are properly delivered and germane to the transition.

Battery backup is an essential life safety issue within the IP Transition and ADT appreciates the Commission including questions about this issue in the above mentioned proceeding. Because of its extensive experience, ADT shared with FCC staff its battery backup policies and procedures including the use of rechargeable batteries and battery status notification.

ADT appreciates the Commission's efforts around battery backup standards and hopes to be a resource for the Commission in developing the correct policy approach. Similarly, ADT is engaged with other stakeholders in an effort to build private sector consensus around life safety considerations.

Pursuant to Section 1.1206 of the Commission's rules, this letter is being filed via ECFS, and a copy will be provided via email to the attendees.

² Comments of ADT Security Services, PS Docket No. 14-174, GN Docket No. 13-5, (filed February 5, 2015).

³ Reply Comments of AT&T Services, Inc., PS Docket No. 14-174, GN Docket No. 13-5, (filed March 9, 2015).

⁴ ADT Comments at pg. 9

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Sincerely,

A handwritten signature in black ink, appearing to read "Geoffrey Why". The signature is written in a cursive, slightly slanted style.

Geoffrey G. Why

Member

Mintz, Levin, Cohn, Ferris, Glovsky, and Popeo PC

Cc: Matt DelNero, Daniel Kahn, Heather Hendrickson, Linda Pintro, Jerome Stanshine, Chuck Needy, John Healy