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EX PARTE  
VIA ELECTRONIC FILING

June 8, 2015

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

Re: *In the matter of Ensuring Customer 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 Special Access Services*, RM 10593

Dear Ms. Dortch:

This is being filed in response to the April 15, 2015 and May 28, 2015 *ex parte* letters filed on behalf of ADT Security Services (“ADT”) in the above-referenced proceedings.

As AT&T has indicated in prior filings in this proceeding, the transition from a circuit-switched network to an all-IP network will improve American lives and benefit consumers. AT&T’s on-going trials provide a forum for identifying and resolving the many operational, technical and social issues raised by those changes. The trials enable all interested parties to identify and resolve the many issues that will arise as the nation migrates to all-IP services. It is this process that led AT&T to develop in consultation with ADT the IP Transition and Alarm Monitoring Services Principles<sup>1</sup> (“Principles”) that AT&T will apply when it offers next-generation *wireless* IP-based replacement services<sup>2</sup> that also will support existing alarm monitoring and automation systems. These principles demonstrate AT&T’s willingness to work with others to address issues raised by the transition, as well as its commitment not to unfairly use information about a customer’s existing services purchased from third parties to market competing services. They further demonstrate that industry, working together, can resolve many of the issues posed by the transition without the need for heavy handed regulation, and the significant costs and burdens such regulation would impose.

We value ADT’s partnership in the development of the Principles at issue here and look forward to an ongoing dialog with them about product and service developments in connection

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<sup>1</sup> See IP Transition and Alarm Monitoring Services Principles, AT&T Reply Comments, *Technology Transitions*, GN Docket No. 13-5, Attachment A, Mar. 9, 2015.

<sup>2</sup> AT&T’s next generation *wireline* IP-based voice services currently support existing alarm monitoring services.

with the IP transition. However, ADT's April 15, 2015 *ex parte* letter departs from the collegial process used to develop the Principles and proposes a Commission rule governing the adoption of Managed Facilities Voice Network (MFVN) standards. Such a rule is unnecessary and inappropriate at this time. Tens of millions of consumers already have made the transition to wireline IP-based voice services without such a rule, or, indeed, any suggestion that such a rule might be necessary. Significantly, legacy wireline customers with existing alarm monitoring systems have successfully transitioned to this next-generation technology without widespread incident or damage to ADT's business. It was because of this success that AT&T entered into discussions with ADT about the development of similar principles for customers that will transition to next-generation *wireless* IP-based voice services. Addressing this issue through the regulatory process inevitably would impose significant costs and delay without any corresponding benefits insofar as the concerns ADT raises are wholly speculative at this point, and the Commission quickly could address any issues that arise.

ADT's May 28, 2015 *ex parte* letter goes even further, and asks the Commission to adopt rules that would micromanage the marketing communications that take place between a carrier and its customer relating to the transition. In particular, it asks that a carrier be required to separate any discussion of the impact of the transition on their existing alarm monitoring system from any of the carrier's own marketing materials. Here again, there is no evidence in the record of this proceeding, nor does ADT offer any in its *ex parte*, that carriers are improperly promoting their own security products and services over existing security services offered by its competitors. And, again, this is after millions of consumers have already made this transition. Moreover, AT&T's principles specify that, in its dealings and contacts with legacy voice subscribers, AT&T will "[u]tilize marketing materials that inform all such subscribers that AT&T's wireless IP-based service is compatible with existing industry standard alarm systems supported by AT&T wireline PSTN services" and "[n]ot interfere with the right of any customer or potential customer of an alarm monitoring company to obtain products and services from that company, including an alarm system."<sup>3</sup> AT&T's stated principles thus provide ADT the sort of assurance and protection that AT&T will inform consumers about the compatibility of our services with their existing alarm monitoring services and not interfere with consumer's rights to use their existing service during the transition that its proposed rule is intended to provide. Further, AT&T's willingness to file publicly the Principles with the Commission provides ADT with added assurance that AT&T will live up to the letter and spirit of its commitments. Thus, this proposal too would impose significant costs without any corresponding benefits. In any event, rather than minimizing consumer confusion as ADT claims, prohibiting AT&T and other carriers from including information regarding their post-transition services in any materials explaining the impact of the transition on customers' existing services could cause more, not less, confusion. Consumers plainly would expect providers to provide information regarding next-generation services in any document describing the impact of the transition and their options during the transition process. Providers should have the flexibility to respond in ways most helpful and convenient *for consumers*. But providers would be prohibited from doing so under ADT's proposal that such information be provided only in separate communications.

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<sup>3</sup> See IP Transition and Alarm Monitoring Services Principles, AT&T Reply Comments, *Technology Transitions*, GN Docket No. 13-5, Attachment A, Mar. 9, 2015.

The successes to date with wireline transitions are a testament to the industry's ability to address deployment issues on a business-to-business basis and obviate the need for Commission action at this time. With the majority of consumers having already successfully made the transition to wireline and wireless IP-based voice services, ADT's proposals for Commission intervention are unnecessary and would impede rather than facilitate the transition of remaining TDM customers to IP-based alternatives. Accordingly, the Commission should reject those proposals and allow the industry to continue to address issues of this nature through industry collaboration.

Pursuant to Section 1.1206 of the Commission's rules, a copy of this notice is being electronically filed in the above-captioned dockets. Please do not hesitate to contact me with any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "F. A. Sincere". The signature is written in a cursive style with a large, looping initial "F".

cc: M. DelNero  
C. Matthey  
D. Kahn  
H. Hendrickson  
L. Pintro  
J. Stanshine  
C. Needy  
J. Healy