

July 30, 2015

**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 Tuesday, July 28, 2015, Paul Plofchan, ADT Vice President for Government and Regulatory Affairs, along with Geoff Why of Mintz Levin and Rachel Sanford of ML Strategies, met with Rebekah Goodheart, Office of Commissioner Clyburn, to discuss consumer notification requirements in the forthcoming Technology Transitions Order.

ADT supports a requirement for a neutral consumer notification that 1) educates consumers about the transition; (2) explains the impact of the transition on the functionality of existing services (e.g. in the case of existing alarms systems, that there is no impact on functionality); 3) and, if new types of services are included in the transition description or as part of consumer benefits, that these descriptions are provided without reference to any specific provider(s) or contain any product offers or marketing materials. A version of this rule, referred to as the “two-postage” rule, was proposed by ADT<sup>i</sup> and supported in a subsequent filing by the Central Station Alarm Association.<sup>ii</sup>

One of the Commission’s main goals in the Technology Transitions proceeding was to prevent consumer confusion and upselling. A neutral consumer notification helps achieve this goal by ensuring that consumers receive any marketing or advertising materials separate from notification about the technology transition itself. This communication about the transition itself is obligatory for the incumbent telecommunications service providers and should describe that the new technology supports existing alarm services. In addition, this rule helps provide equal (level playing field) access to customers and promotes free market competition for all service providers to advertise services during and after the transition.

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

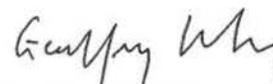
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Pursuant to Section 1.1206 of the Commission's rules, this letter is being filed via ECFS, and a copy will be provided via email to the attendees.

Very truly yours,



Geoffrey G. Why

cc: Rebekah Goodheart, Office of Commissioner Clyburn

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<sup>i</sup> Ex Parte Letter filed by ADT Security Services, GN Docket No. 13-5, *et. al.*, (filed May 28, 2015).

<sup>ii</sup> Ex Parte Letter filed by Central Station Alarm Association, GN Docket No. 13-5, *et. al.*, (filed July 23, 2015).