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Via ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, N.W.
Washington, DC 20554

Re: Notification of *Ex Parte* Presentation, CG Docket No. 02-278

Dear Ms. Dortch:

On Friday, October 9, 2015, Jonathan Thessin, Senior Counsel of the American Bankers Association (ABA) and Charles H. Kennedy, counsel to ABA, met by telephone with Nicholas Degani, Legal Advisor to Commissioner Pai. The meeting concerned the Commission's decision to permit financial institutions to send four categories of urgent, time-sensitive text and voice communications to customers on an automated, free-to-end-user basis without regard to the recipients' prior express consent, but only where the called telephone number was provided to the caller by the customer.¹ The ABA participants pointed out that this "provided number" condition severely limits the usefulness of the free-

¹ *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, CG Docket No. 02-278, WC Docket No. 07-135 (Declaratory Ruling and Order released July 10, 2015) ¶¶ 125-139.

to-end-user call exemptions granted by the Commission, and will prevent customers from receiving time-sensitive communications concerning potential fraud, identity theft, remediation of identity theft threats and funds transfers. ABA's concerns with the provided-number condition are more fully set out in its pending petition for reconsideration, filed with the Commission on August 10, 2015.²

Respectfully submitted,

/s/ Charles H. Kennedy

Charles H. Kennedy

cc: Nicholas Degani
Alison Kutler
Kurt Schroeder
Mark Stone
Aaron Garza
Christina Clearwater

² Petition for Reconsideration of the American Bankers Association, CG Docket No. 02-278, WC Docket No. 07-135 (filed Aug. 10, 2015).