



STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

LAWRENCE G. WASDEN

December 21, 2015

The Honorable Tom Wheeler  
Chairman  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

RE: Proceeding #08-7 -- Wireless Telecommunications Bureau Seeks Comment on  
Petition For Declaratory Ruling That Text Messages and Short Codes are Title II  
Services Or Are Title I Services Subject to Section 202 Non-Discrimination Rules

Dear Chairman Wheeler:

The undersigned Attorneys General, on behalf of our citizens, respectfully submit this comment asking the Commission to maintain the status quo regarding the protection of text messaging from spam and phishing messages. Wireless carriers protect consumers messaging through the use of safeguards and filters. This practice is a benefit to consumers and should continue to be permitted.

It has come to our attention that Twilio, Inc. has filed a petition seeking certain relief related to activities of wireless carriers. While the petition raises some complex issues of communications law on which we do not wish to comment, we do urge the Commission to maintain its current treatment of wireless carriers, to the extent it allows them to filter out unwanted spam in text messaging.

Text messaging today is not excessively polluted by spam communications thanks to the filters used by the wireless carriers. Accordingly, it has gained consumer confidence and become the preferred method of communicating for many. Restrictions or regulations that impede the wireless carriers from blocking text messaging spam will make text messaging increasingly susceptible to the same unwanted incursions as email and telemarketing calls, to the detriment of our citizens.

Further, we question why wireless carriers would be singled out for regulation, when most messaging today is also supported by Internet applications, which continues to grow.

The Honorable Tom Wheeler

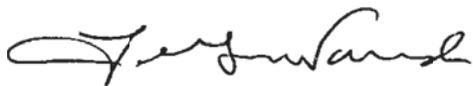
December 21, 2015

Page 2

Text messaging spam would be a major annoyance to consumers and would be a vehicle for various fraudulent activities. We believe, and our citizens desire, that this unique wireless service should be kept "spam free." We therefore urge the Commission to maintain the status quo, rather than imposing new regulatory structures that would open up the spam floodgates, which our citizens would have to address.

Thank you for your consideration on this matter. Hopefully, we can continue to protect mobile device users from unwanted and unsolicited spam messages.

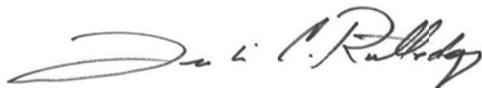
Sincerely,



LAWRENCE G. WASDEN  
Idaho Attorney General



LUTHER STRANGE  
Attorney General of Alabama



LESLIE RUTLEDGE  
Arkansas Attorney General



CYNTHIA COFFMAN  
Colorado Attorney General



GEORGE JEPSEN  
Connecticut Attorney General



SAMUEL S. OLENS  
Georgia Attorney General



GREGORY F. ZOELLER  
Indiana Attorney General



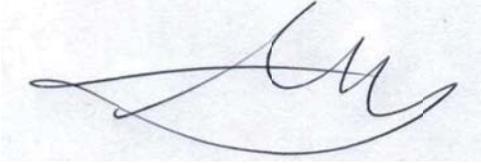
JANET T. MILLS  
Maine Attorney General



BILL SCHUETTE  
Michigan Attorney General



TIM FOX  
Montana Attorney General



JOSEPH A. FOSTER  
New Hampshire Attorney General



HECTOR BALDERAS  
New Mexico Attorney General



WAYNE STENEHJEM  
North Dakota Attorney General



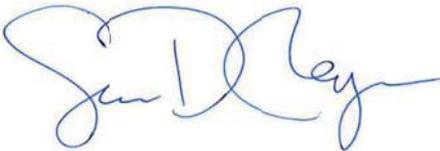
MIKE DEWINE  
Ohio Attorney General



SCOTT PRUITT  
Oklahoma Attorney General



MARTY JACKLEY  
South Dakota Attorney General



SEAN REYES  
Utah Attorney General



PATRICK MORRISEY  
West Virginia Attorney General



PETER K. MICHAEL  
Wyoming Attorney General