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June 1, 2009

William Dever
Acting Chief, Competition Policy Division
Wireline Competition Bureau

Erica McMahon
Chief, Consumer Policy Division
Consumer & Governmental Affairs Bureau
Federal Communications Commission
445 12th St SW
Washington, DC 20554

**Re: Notification Under Section 64.2009(f)
CC Docket No. 96-115**

Dear Mr. Dever and Ms. McMahon:

AT&T Inc. ("AT&T") on behalf of BellSouth Corporation ("hereinafter "AT&T Southeast") hereby notifies the FCC, pursuant to Section 64.2009(f), of an opt-out mechanism error.

AT&T notifies customers of their CPNI rights and gives them an opportunity to restrict the use of their CPNI ("opt-out") before AT&T uses their CPNI to market services outside of their existing service relationship. In the Southeast region, notices sent to small business customers direct them to call a specific toll-free number to opt-out.

Between April 13, 2009 and May 22, 2009, small business customers dialing AT&T Southeast's toll-free number to opt-out could not get through, and instead received a message stating that the telephone number was disconnected.¹ AT&T has determined that the disconnection occurred in connection with an initiative to disconnect toll-free numbers that were no longer needed because the business marketing campaigns they were associated with were no longer active and would not be renewed. AT&T mistakenly included the Southeast opt-out toll-free number on a list of such telephone numbers to be disconnected.² AT&T re-connected the number as soon as the error was discovered. Prior to this error, AT&T Southeast received on average three opt-out requests per day from small business customers.

Because AT&T is unable to determine how many small business customers would have opted-out through the Southeast toll-free number between April 13, 2009 and May 22, 2009,

¹ The information provided in this notice is based upon facts known as of the date of this letter.

² No other opt-out toll-free numbers were affected.

AT&T will re-notify all AT&T Southeast small business customers that were sent a new connect CPNI opt-out notice between March 10, 2009 and May 19, 2009.³ Additionally, AT&T is removing all potentially affected small business customers from its marketing campaigns that utilize CPNI until they have had at least 30-days to make an opt-out request. Further, AT&T is changing these customers' CPNI status to pending, which means these customers are treated as customers that have denied CPNI consent, until they have at least 30-days to restrict the use of their CPNI.

AT&T will make all required notifications to the relevant state commissions. No state commissions have taken any action regarding this issue. For your convenience, attached is a copy of the opt-out notice that was sent to AT&T Southeast small business customers.

Should you have any questions regarding the foregoing, please contact Davida Grant at (202) 457-3045.

Sincerely,

/s/ Davida Grant
Davida Grant

Attachment

³ AT&T will re-notify these customers during June 2009. AT&T does not plan to notify such customers who have opted out through other means, or have expressly opted in.

AN IMPORTANT MESSAGE ABOUT THE PRIVACY OF YOUR CUSTOMER INFORMATION (CUSTOMER PROPRIETARY NETWORK INFORMATION OR CPNI)

The protection of our customers' privacy is of utmost importance to the employees and management of the AT&T family of companies (AT&T)*. Please take a moment to read the following important message about the privacy of your customer information.

AT&T telecommunications carriers would like to share your customer proprietary network information within the AT&T family of companies for our own marketing purposes, including using that information to offer you additional products and services.

What is CPNI? Your CPNI includes the types of telecommunications services you currently purchase, how you use them and the related billing for those services. CPNI does not include your telephone number, your name or your address. Protecting the confidentiality of your CPNI is your right and our duty under federal law. As an AT&T customer, you can restrict the use of your CPNI even within the AT&T family of companies.

To allow AT&T to use your CPNI, no further action is required. AT&T will not use your CPNI to offer you other products and services until at least 33 days after this notice was mailed to you. AT&T and our authorized agents will not sell, trade or share your CPNI with anyone outside the AT&T family of companies, or with those authorized agents, except where required by law.

If at any time you would prefer that AT&T not use your CPNI to offer you additional products and services - you may call AT&T at 1-800-311-4443. Please note that you will have to call in for each telephone number for which you receive a separate AT&T bill.

Your decision to permit or restrict the use of CPNI will remain in effect until you decide to change it - which you can do at any time without charge. Restricting our use of your CPNI will not affect the provision of any AT&T products or services to which you currently subscribe, nor will it eliminate other types of marketing contacts.

Thank you for choosing AT&T. We appreciate your business.

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