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March 2, 2011

Ex Parte

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

Re: CG Docket Nos. 09-158 and 10-207

Dear Ms. Dortch:

On March 1, 2011, Jerry Karnick and Catherine Hilke of Verizon Wireless and Ann Berkowitz, Ian Dillner, and Donna Epps of Verizon Communications met with Joel Gurin, John B. Adams, William Freedman, Colleen Heitkamp, Rebecca Hirselj, Michael Jacobs, Lynn Ratnavale, Kurt Schroeder, Arthur Scrutchins, Nancy Stevenson, and Mark Stone of the Consumer and Governmental Affairs Bureau; Christine Clearwater and Nicole McGinnis of the Wireless Telecommunications Bureau; Matt Warner of the Wireline Competition Bureau; and Katie Costello of the Media Bureau.

During the meeting, a number of issues were discussed relating to the Commission's pending proceeding on consumer information and disclosures, including point of sale information, billing information, early termination fees, and cramming.

We discussed how Verizon Wireless makes information available to consumers at all stages of the customer-carrier relationship. Beginning when the customer first sees an advertisement for Verizon Wireless, through his or her purchase decision, and extending for the life of the customer's relationship with Verizon Wireless, the company provides consumers with detailed information to make informed purchasing decisions. For example, potential customers receive information regarding device costs, rebates, and contract terms in Verizon Wireless' advertising. Customer service representatives at Verizon Wireless' company-owned and agent-owned retail stores and Verizon Wireless' call centers provide information as to the prices and contract terms associated with service plans and devices. In addition, in stores, printed cards detail the price, early termination fee, and whether a data package is required for each device. A brochure describing Verizon Wireless' device and service options, service coverage area, return policy, and customer agreement, as well as the range of taxes and fees, is also available in stores and online.

Customers continue to receive relevant information after they have signed up for service. Regardless of the particular method that a customer uses to order service, the customer is sent a confirmation letter, either electronically or via U.S. mail, within ten days of accepting the customer agreement. The confirmation letter provides yet another description of the customer's plan, the contract end date, the applicable early termination fee, and how to contact Verizon Wireless if the customer has questions about the letter, among other things. Verizon Wireless also provides its customers with significant detail on their bill, including a simple description of the customer's plan and a brief description of charges by line. Detailed plan, billing, and usage information also is always available to customers online at My Verizon.

We also discussed Verizon Wireless' billing procedures for third-party content. All third-party content providers that want to provide content to Verizon Wireless' customers must comply with the Mobile Marketing Association's U.S. Consumer Best Practices Guidelines for Cross-Carrier Mobile Content Programs. These Guidelines require express user authorization prior to the placement of charges for third-party content on customer bills. This authorization includes a double opt-in process for customers to purchase premium or subscription-based services. Verizon Wireless regularly audits its third-party content providers to ensure compliance with the MMA Guidelines. If a customer complains about being charged for unauthorized third-party content, Verizon Wireless investigates the situation and may, if appropriate, credit the charges to the customer's account. In addition, if wireless customers do not wish to receive third-party content, they may block the purchase of such content at no cost.

Consistent with past filings and presentations in these proceedings, we discussed what parental controls Verizon Wireless offers to consumers. Verizon Wireless offers customers the following parental controls, available online at My Verizon or by contacting our call centers:

- Content Filters that allow customers to establish an access setting for each line on their account that ensures content accessible through Mobile Web 2.0, short-code based messaging campaigns, V CAST Music and V CAST Video is age-appropriate.
- Call, Message, and Spam Blocking allows account managers to block incoming calls and messages from a limited number of phone numbers and email addresses.
- Service Blocks allow customers to restrict the purchase of certain services and content, including ringback tones, premium messaging, picture and video messaging, V CAST Music and Video, web purchases, and application downloads.
- Usage Controls that allow customers to set thresholds on the number of voice minutes and/or messages that may be used each month by a line. Usage Controls also allow customers to restrict voice and messaging services during designated times of day or days of week; establish trusted numbers for which calls and messages may always be sent and/or received; and customize the settings for each controlled line on the account, among other things.

In addition, we described the domestic usage management tools Verizon Wireless offers handset customers. For example, Verizon Wireless sends handset customers that have either

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exceeded or are trending to exceed their monthly voice, messaging, and/or data allowances on or around the 20th day of their billing cycle a free text message alerting them that they are on track to incur overage charges for that billing cycle. Verizon Wireless also allows customers to access usage information online at My Verizon, through a My Verizon application on their handsets, by dialing #MIN or #DATA, or through calling customer service.

As part of our discussion, we also talked briefly about network management and privacy disclosures. Verizon Wireless noted that it provides customers with typical download and upload speeds. Verizon Wireless' and Verizon's privacy policy is available for review on all Verizon Wireless and Verizon websites.

Finally, on January 26, 2011, Consumers Union filed a letter in these dockets raising questions about how customers will be notified of Verizon Wireless' elimination of its "New Every Two" policy.¹ On February 8, 2011, Verizon Wireless spoke with Consumers Union by telephone and detailed how this change in policy will be communicated to customers. Specifically, Verizon Wireless will inform customers when they redeem their New Every Two upgrade that this upgrade will be their last redemption under that program. The confirmation letter sent to customers after they upgrade will also note that this upgrade was their last redemption under the New Every Two program. In addition, Verizon Wireless discloses on its website that new lines of service are no longer enrolled in the New Every Two program and that customers currently enrolled in the program may redeem their New Every Two benefit one more time for up to six months after fulfilling 20 months of their two-year contract.

Please let me know if you have any questions.

Sincerely,



cc: Joel Gurin
Christine Clearwater
William Freedman
Rebecca Hirselj
Nicole McGinnis
Kurt Schroeder
Nancy Stevenson
Matt Warner
John B. Adams
Katie Costello
Colleen Heitkamp
Michael Jacobs
Lynn Ratnavale
Arthur Scrutchins
Mark Stone

¹ See Letter from Parul P. Desai, Consumers Union, to Chairman Julius Genachowski, FCC, CG Docket Nos. 09-158, 98-170, and 10-207 (filed Jan. 26, 2011), attaching Letter from Parul P. Desai, Consumers Union, to Daniel S. Mead, Verizon Wireless (dated January 26, 2011).