

# EXHIBIT 1



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May 15, 2019

**Via Email**

The Honorable Jessica Rosenworcel  
Commissioner  
Federal Communications Commission  
445 12th Street SW  
Washington, D.C. 20554  
Jessica.Rosenworcel@fcc.gov

Dear Commissioner Rosenworcel:

I am responding to your May 1, 2019 letter to AT&T Communications, LLC (“AT&T”) CEO John Donovan, requesting information regarding AT&T’s provision of location-based services. The protection of our customers’ privacy is a top priority at AT&T.

As you are aware, in June 2018, AT&T announced it would be phasing out its provision of customer location information to aggregators. We made an exception for use cases involving emergency services and fraud prevention in order to avoid undue disruption to providers of such services given their potentially important public benefits. In that regard, there can be real, and potentially life-saving, benefits, when a towing company receives the location of a stranded motorist who does not know the nearest mile marker, or a son or daughter uses a medical alert device to locate an injured elderly parent; or a bank uses location information to thwart fraud and identify theft.

Even before this phase-out, AT&T limited its provision of location information to approved use cases and imposed strict standards to protect against improper use or disclosure of customer location data. Before we provided customer location data to an aggregator or location-based services (“LBS”) provider, we investigated them – their corporate history, security policies, and privacy policies – and approved each planned use of customer location data. AT&T required the entity receiving customer location data to provide notice to customers of the intended use of their information and to obtain customers’ consent for that use. We also required location aggregators and LBS providers to confirm a record of customer consent associated with each request for AT&T location data, and we reviewed those records daily. We also restricted the downstream dissemination of location information provided to location aggregators and LBS providers.

**AT&T**



As of this date, AT&T is not aware of any instance in which the location information of one of its customers has been shared without authorization in connection with the incident described in your letter. Nonetheless, in light of the press report to which you refer, which did not involve an AT&T phone, we decided in January 2019 to accelerate our phase-out of these services. As of March 29, 2019, AT&T stopped sharing any AT&T customer location data with location aggregators and LBS providers. Our contracts require all parties who have received AT&T customer location data in connection with those arrangements to delete that information and we are verifying that they have done so, subject to any of their preservation obligations.

Lastly, we note that the media reports to which you refer regarding the legal requirements associated with A-GPS,<sup>1</sup> are inaccurate and misplaced. The FCC's prohibitions on the use of the National Emergency Address Database ("NEAD") for non-emergency services do not apply to A-GPS because A-GPS is not associated with or stored within NEAD.<sup>2</sup> Instead, the NEAD is being developed to include "MAC address and BT-PDA information of fixed indoor access points (e.g., Wi-Fi and Bluetooth) that will be used to determine the specific indoor location of wireless 911 callers...."<sup>3</sup> While A-GPS is certainly used by 911 dispatchers to assist in locating individuals in emergency situations, it is also an important feature commonly used by app developers to provide location services. For example, ridesharing apps use A-GPS to make sure the car shows up in the right location. For these reasons, reports of purported improper use of A-GPS are incorrect.

Please let us know if we may be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to be "JM", is written over a horizontal line.

Joan Marsh

cc:

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<sup>1</sup> Karl Bode, *What A-GPS Data Is (and Why Wireless Carriers Most Definitely Shouldn't Be Selling It)*, MOTHERBOARD (Feb. 7, 2019), available at [https://www.vice.com/en\\_us/article/j575dg/what-a-gps-data-is-and-why-wireless-carriers-most-definitely-shouldnt-be-selling-it](https://www.vice.com/en_us/article/j575dg/what-a-gps-data-is-and-why-wireless-carriers-most-definitely-shouldnt-be-selling-it).

<sup>3</sup> Federal Communications Commission, *In re Wireless E911 Location Accuracy Requirements*, Order 17-150 ¶