



September 18, 2012

Wayne Watts
Senior Executive Vice President and General Counsel
AT&T Inc.
One AT&T Plaza
208 South Akard Street
Dallas, TX 75202

Re: Notification of Intent to File Formal Complaint Against AT&T Inc. for
violations of 47 C.F.R. § 8.5(b)

Dear Mr. Watts:

Pursuant to 47 C.F.R. § 8.13(c), this letter hereby notifies AT&T Inc. of the undersigners' intent to file a formal complaint under the Federal Communications Commission's Open Internet rules. We intend to file this complaint in response to AT&T Inc.'s decision to block certain users from accessing the FaceTime application over AT&T's mobile networks,¹ in violation of 47 C.F.R. § 8.5(b), which prohibits mobile broadband Internet access service providers from blocking any application that competes with the provider's voice or video telephony services.

We respectfully request that AT&T reconsider its behavior and the impact that blocking FaceTime will have on its customers, particularly the deaf and hard of hearing,² as well as all who use this application to communicate with family and friends over the Internet. Making mobile use of the application available only to those customers who pay for unlimited voice and text messages harms individuals and innovation alike. We ask instead that AT&T make this core feature of the popular iPhone and iPad devices available to all of its customers, in compliance with the Open Internet rules that "preserve the Internet as an open platform enabling consumer choice, freedom of expression, end-user control, competition, and the freedom to innovate without permission."³

Respectfully,

/s/ Matthew F. Wood
Policy Director
Free Press
1025 Connecticut Ave. NW
Suite 1110
Washington, DC 20036

/s/ Sarah Morris
Policy Counsel
New America Foundation's
Open Technology Institute
1899 L Street NW, Suite 400
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/s/ John Bergmayer
Senior Staff Attorney
Public Knowledge
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Suite 410
Washington, DC 20036

¹ See e.g. Bob Quinn, "Enabling FaceTime Over Our Mobile Broadband Network," *AT&T Public Policy Blog*, August 22, 2012.

² See e.g. Brendan Gramer, "AT&T's FaceTime Blocking Hurts the Deaf," *Wired*, September 7, 2012.

³ 47 C.F.R. § 8.1.