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February 15, 2019

The Honorable Ron Wyden
United States Senate
221 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Wyden:

I am responding to your January 17, 2019 letter to AT&T Chairman and CEO Randall Stephenson requesting information regarding AT&T's provision of location-based services. Your letter refers to a January 9 article published by *Motherboard* involving a company named MicroBilt. Although the phone discussed in that article was not an AT&T phone, we immediately suspended MicroBilt's access to AT&T location information and began investigating whether any AT&T customers' location had been transmitted without consent or for purposes beyond the limited fraud-prevention use we had authorized for MicroBilt. That investigation continues, but to date, we are not aware of any such instance.

AT&T has provided location-based services because we recognized the benefits to our customers.¹ Whether it is the towing company receiving the location of a stranded motorist who does not know the nearest mile marker, a lender thwarting fraud and identify theft, or a daughter using a medical alert device to get help for an elderly parent, the benefits from these services are tangible and can be life-saving.

As we detailed in our response to your May 8, 2018 letter we only share location with customer consent and we maintain strict standards to protect against improper use or disclosure of that data. For example, before we provide location to any aggregator or service provider, we investigate them -- i.e., their corporate history, security policies, and privacy policies -- as well as their planned use of the data. We do not share location information with any entity for any purpose that has not been vetted and approved. If approved, the aggregator or service provider must provide conspicuous notice to the customer of the intended use of the information and obtain the customer's consent to that use, and they are prohibited from using it for any other purpose. Those entities must provide AT&T with a confirmation of customer consent for each request for AT&T location data, and we review those records daily.

¹ The provision of location-based services has never been a significant source of income to AT&T. In 2017, our provision of location-based information to aggregators generated a tiny fraction -- about one thousandth of one percent -- of company revenues.

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As we further explained, to facilitate location services, AT&T has contractual relationships with two third-party location aggregators that allow such aggregators to share location information with their customers (e.g., roadside-assistance providers) in accordance with AT&T's requirements. Those location aggregators are TechnoCom Corporation d/b/a LocationSmart and Zumigo, Inc.

Notwithstanding the clear benefits of these services, in June 2018, after the Securus incident, AT&T announced that we were ending our work with location aggregators in a way that preserved important services like roadside assistance. To be clear, we did not say that we would stop sharing all location information immediately, but rather "as soon as practical." We chose a phased approach rather than a flash-cut to mitigate the impact on location-based services that offer important public benefits like those described above, and to allow affected companies an opportunity to transition those services. Since that announcement, we have shut down access to most of the companies using the services.

As to the remaining fraud-prevention and consumer-safety uses, in light of recent allegations about the misuse of location services, we have accelerated our phase out plan and will cease providing location information to all aggregators by the end of March 2019. We know this means that consumers may no longer benefit from important services until new methods are developed. This is not a decision that we make lightly, but it is one that we feel is prudent and appropriate under the circumstances.

Finally, your January 17 letter asks for any known incidents where a third party misrepresented that they obtained prior customer consent. While our investigation is ongoing, based on a review going back to January 2016, beyond the allegations of inappropriate use of location information by Securus Technologies, AT&T has not identified any use of location information where the location aggregator or another third party obtained AT&T location information without prior customer consent.

Sincerely,

A handwritten signature in black ink, appearing to read "John McKone". The signature is written in a cursive, flowing style.