

Steve Largent
President/CEO

December 12, 2013

VIA ELECTRONIC FILING

The Honorable Thomas E. Wheeler, Chairman
The Honorable Mignon L. Clyburn, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
The Honorable Ajit Pai, Commissioner
The Honorable Michael P. O’Rielly, Commissioner

Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Carrier Unlocking Voluntary Commitment

Dear Chairman Wheeler and Commissioners:

CTIA is pleased to announce today that AT&T, Sprint, T-Mobile, U.S. Cellular, and Verizon Wireless have committed to adopt the attached set of voluntary industry principles for consumer unlocking of mobile wireless phones and tablets. CTIA and these companies share the goal of ensuring that America’s wireless consumers continue to benefit from the world-leading range of competitive devices and offerings they currently enjoy, and believe that these voluntary principles will enhance these consumer benefits.

CTIA and these five leading companies will also recommend this set of principles for inclusion into the CTIA Consumer Code for Wireless Service (“Consumer Code”), in accordance with CTIA’s bylaws. Upon adoption, these companies will move quickly to implement these principles, committing to implement three of these principles within three months and the remainder within 12 months.

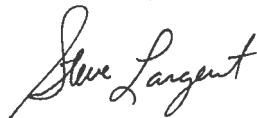
As CTIA’s members continue to enhance their robust and competitive unlocking policies, it is important to highlight what unlocking means and does not mean for consumers. In short, an unlocked phone is not a fully interoperable phone. Carriers typically use different frequencies and air interface technologies to provide wireless network access. Accordingly, a device that works on one carrier's network may not be technologically compatible with another carrier's network. Additionally, unlocking a device may enable some functionality of the device but not all (e.g., an unlocked device may support voice services but not data services when activated on a different network). This robust and differentiated technological ecosystem has brought unparalleled and world-leading benefits to consumers, in the form of high-end and affordable devices, post- and pre-paid options, and with the world’s most advanced devices being launched first in the United States.



The CTIA Consumer Code provides an essential tool for consumers seeking to make informed choices when selecting their wireless service, and CTIA's annual recertification process will serve as an audit mechanism to ensure that carriers agreeing to the code are in compliance with the voluntary principles regarding device unlocking. CTIA and the signatory carriers look forward to working with the Commission prior to implementation of these commitments to develop effective consumer outreach.

If you have any questions regarding this submission, please contact the undersigned.

Sincerely,

A handwritten signature in black ink that reads "Steve Largent". The signature is written in a cursive style with a large initial "S".

Steve Largent
President and CEO
CTIA-The Wireless Association

ATTACHMENT

Mobile Wireless Device Unlocking Voluntary Commitment

Each signatory of this “Mobile Wireless Device Unlocking Voluntary Commitment” will abide by the following standards regarding the ability of customers, former customers, and individual owners of eligible devices to unlock phones and tablets, (“mobile wireless devices”) that are locked by or at the direction of the carrier.

It should be noted that carriers typically use different frequencies and air interface technologies to provide wireless network access. Accordingly, a device that works on one carrier's network may not be technologically compatible with another carrier's network. "Unlocking" a device refers only to disabling software that would prevent a consumer from attempting to activate a device designed for one carrier's network on another carrier's network, even if that network is technologically compatible. In other words, "unlocking" a device will not necessarily make a device interoperable with other networks—a device designed for one network is not made technologically compatible with another network merely by "unlocking" it. Additionally, unlocking a device may enable some functionality of the device but not all (e.g., an unlocked device may support voice services but not data services when activated on a different network).

1. Disclosure. Each carrier will post on its website its clear, concise, and readily accessible policy on postpaid and prepaid mobile wireless device unlocking.
2. Postpaid Unlocking Policy. Carriers, upon request, will unlock mobile wireless devices or provide the necessary information to unlock their devices for their customers and former customers in good standing and individual owners of eligible devices after the fulfillment of the applicable postpaid service contract, device financing plan or payment of an applicable early termination fee.
3. Prepaid Unlocking Policy. Carriers, upon request, will unlock prepaid mobile wireless devices no later than one year after initial activation, consistent with reasonable time, payment or usage requirements.
4. Notice. Carriers that lock devices will clearly notify customers that their devices are eligible for unlocking at the time when their devices are eligible for unlocking or automatically unlock devices remotely when devices are eligible for unlocking, without additional fee. Carriers reserve the right to charge non-customers/non-former-customers a reasonable fee for unlocking requests. Notice to prepaid customers may occur at point of sale, at the time of eligibility, or through a clear and concise statement of the policy on the carrier's website
5. Response Time. Within two business days after receiving a request, carriers will unlock eligible mobile wireless devices or initiate a request to the OEM to unlock the eligible device, or provide an explanation of why the device does not qualify for unlocking, or why the carrier reasonably needs additional time to process the request.

6. Deployed Personnel Unlocking Policy. Carriers will unlock mobile wireless devices for deployed military personnel who are customers in good standing upon provision of deployment papers.

Carriers reserve the right to decline an unlock request if they have a reasonable basis to believe the request is fraudulent or the device is stolen.

Carriers further agree to implement three of the standards articulated above within 3 months of adoption of this commitment and to implement this commitment in its entirety within 12 months of adoption.