

April 22, 2020

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Pai:

We write to ask the FCC to join us as state attorneys general in urging the telecommunications industry to make further commitments to protect their customers who are struggling financially as a result of COVID-19 and its impact on our economy.

Americans are facing unprecedented hardship as a result of widespread unemployment resulting from the COVID-19 pandemic. Yet, access to internet and telecommunications systems is critical during this time. During this crisis, Americans are relying heavily on these systems to receive important health and safety information, including government and public health orders and advisories. Stay at home orders also require students and educators to use these systems so that schooling can continue on-line. These systems also make it possible for health care providers to provide remote telemedicine services to some patients in order to better preserve the health care system's capacity to address COVID-19. In addition, as businesses, nonprofits, government agencies, and other organizations use teleworking to continue to carry out their functions, large numbers of Americans now have to use these systems to work from home. Many Americans are now facing unanticipated economic circumstances as a result of this crisis, due to no fault of their own, and any disruption in their Internet or telecommunications service has the potential to have a devastating impact on their safety, education, and work.

We thank the FCC and the telecommunications industry for your action on March 13, 2020, when you announced that many companies had pledged to do 3 basic things for 60 days: (1) not terminate service to any residential or small business customer because of their inability to pay their bills due to the disruption caused by the coronavirus pandemic; (2) waive any late fees that any such customers incurred because of this disruption; (3) open their Wi-Fi hotspots to any American that needs them.

These commitments made pursuant to this FCC pledge are commendable. However, based on our experience on the ground protecting our residents and what we have heard from them over the past few weeks, we believe these 3 commitments alone are not enough. We are engaging with industry to urge companies to make five additional, common sense commitments, in order to better protect the public, and we ask the FCC to partner with us in this effort. Specifically, the companies should pledge to do the following:

1. EXTEND THE FCC PLEDGE AN ADDITIONAL 90 DAYS

Per the earlier FCC pledge, the companies only made commitments for a time period of 60 days and, therefore, those commitments will expire on May 13, 2020. It is obvious that for the commitments to have the needed impact it will be necessary for them to be extended beyond May 13. Therefore, these companies should pledge to take the actions set forth in the original FCC pledge – as well as well as the commitments and actions set forth in this letter – for an additional 90 days, or until August 11.

2. USE FAIR AND REASONABLE PAYMENT PLANS

The companies should give customers experiencing economic hardship related to the COVID-19 pandemic a fair and reasonable amount of time to pay any bills in arrears that were accumulated during this crisis. The companies should provide these customers payment options over at least a 6 month period from August 11 to pay off any past-due balance. Consumers who are able to pay their bills should pay their bills. But, as a practical matter, many consumers who cannot pay their bills due to the disruption caused by the pandemic and – in turn, do not have their service terminated by the company, per the FCC pledge – will not likely be able to immediately pay their past due bill as soon as the time period covered by the pledge ends. A company should not immediately take debt collection action against these consumers or attempt to impair their credit when, through no fault of their own, they were unable to pay their bills due to the disruption caused by this pandemic. These consumers should be given a reasonable amount of time to pay their past due bills without penalty. In these instances the companies should not assess any penalties for nonpayment.

3. RECONNECT PREVIOUSLY DISCONNECTED CUSTOMERS

The companies should reconnect as appropriate and feasible any customers disconnected who wish to be reconnected for a minimum of 90 days from May 13, or August 11, with reconnection fees and penalties waived. Some customers may have had the misfortune of experiencing economic hardship due to the COVID-19 pandemic just before the FCC pledge commitments were made and, as a result, had service terminated before the pledge to not terminate service went into effect. Those consumers should not be worse off than similarly situated consumers simply due to such timing. Companies should pledge to reconnect such customers so that they can be safe, work from home, and obtain the other protections they receive from being connected to the country's Internet and telecommunications services

4. EXPAND DATA CAPS

Cell phone providers should expand data caps and waive any overage charges for a minimum of 90 days from May 13, or August 11. During this crisis, consumers simply need to use their cell phone more often, due to no fault of their own. Due to the economic conditions created by this crisis, cell phone companies should expand their data caps and not seek to impose increased charges on customers when they exceed their current limits.

5. EDUCATE THEIR CUSTOMERS

Finally, the companies should inform and educate their customers about the COVID-19 related services they are providing, and should also attempt to protect consumers by informing them and educating them about COVID-19 scams. They should, as a matter of common sense, inform and educate customers about the availability of the services and related services they are offering customers pursuant to the FCC pledge and the additional commitments we are asking them to make here. After all, if customers are not informed of the availability of these options and do not utilize them, the commitments made by companies will have little impact or public benefit. In addition, they should inform and educate their customers about COVID-19 related scams, such as scam robocalls and phishing emails. Attorneys General and other governmental authorities have worked hard during this time to inform and educate consumers about such scams because it is always ideal to try to head off and prevent scams before they take place. Internet and telecom companies are also in a good position to inform and educate consumers about scams and should take reasonable efforts to do so. The more consumers we can help prevent from falling prey to scams the better.

Thank you for reviewing our request that you join us in calling on the telecommunications industry to do more. We agree with what you said when you announced the FCC pledge: "As the coronavirus outbreak spreads and causes a series of disruptions to the economic, educational, medical, and civil life of our country, it is imperative that Americans stay connected. Broadband will enable them to communicate with their loved ones and doctors, telework, ensure their children can engage in remote learning, and – importantly – take part in the 'social distancing' that will be so critical to limiting the spread of this novel coronavirus."

Our offices will be glad to work with you and your staff to discuss the additional commitments and actions set forth above that the companies should take to ensure that Americans truly are able to stay connected in a way that will allow them to be able to work and stay informed and safe during this difficult time period. Please find attached a draft of the pledge we are asking telecommunications companies to take for your consideration.

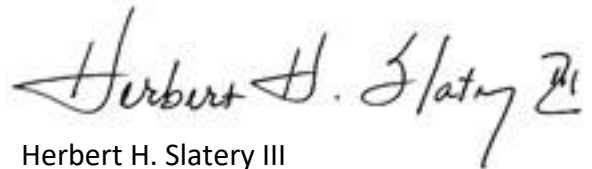
Sincerely,



Josh Stein
North Carolina Attorney General



Xavier Becerra
California Attorney General



Herbert H. Slatery III
Tennessee Attorney General



Phil Weiser
Colorado Attorney General



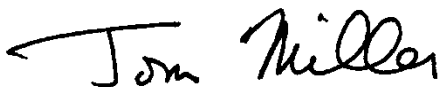
William Tong
Connecticut Attorney General



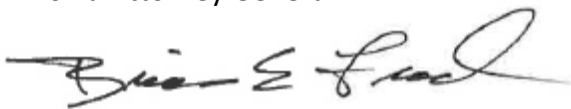
Karl A. Racine
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Clare E. Connors
Hawaii Attorney General



Tom Miller
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Maryland Attorney General



Dana Nessel
Michigan Attorney General



Douglas Peterson
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Hector Balderas
New Mexico Attorney General



Kathleen Jennings
Delaware Attorney General



Leevin Taitano Camacho
Guam Attorney General



Kwame Raoul
Illinois Attorney General



Aaron M. Frey
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Maura Healey
Massachusetts Attorney General



Keith Ellison
Minnesota Attorney General



Gurbir S. Grewal
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Letitia James
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Ellen F. Rosenblum
Oregon Attorney General

Peter F. Neronha
Rhode Island Attorney General

Mark R. Herring
Virginia Attorney General

Joshua L. Kaul
Wisconsin Attorney General

Dennise N. Longo Quiñones
Puerto Rico Attorney General

T.J. Donovan
Vermont Attorney General

Robert W. Ferguson
Washington Attorney General

The Pledge

In response to the Attorneys General's efforts to ensure that our residents do not lose their broadband, cable, or telephone connectivity as a result of the exceptional circumstances related to the COVID-19 pandemic, [company name] pledges to affirmatively do the following for any person or small business:

- **Stop any disconnection** for inability to pay due to economic hardship related to the coronavirus pandemic for a minimum of an additional 90 days from May 13, or until August 11.
- **Waive late fees** and interest for untimely payments incurred because of their economic hardship related to the coronavirus pandemic for a minimum of an additional 90 days from May 13, or until August 11.
- **Give customers time to pay** any bills in arrears accumulated during the pandemic by providing customers experiencing economic hardship related to the coronavirus pandemic with reasonable payment options over at least a six-month period to pay off any past-due balance beginning August 11.
- **Reconnect as feasible** any customers disconnected who wish to be reconnected, with penalties and reconnection fees waived.
- **For cell phone providers**, lift or greatly expand data caps and waive any overage charges for a minimum of 90 days from May 13, or until August 11.
- **Inform and educate customers about:**
 - these COVID-19-related consumer protections; and
 - about COVID-19-related scams, such as scam robocalls and phishing emails.