



William H. Devine
Vice President
Legislative Affairs

AT&T California
1215 K Street, Suite 1800
Sacramento, CA 95814

T 916.341.3400
bdevine@att.com
att.com

July 10, 2017

The Honorable Hannah-Beth Jackson
Chair, Senate Judiciary Committee
California State Senate
State Capitol Building, Room 2032
Sacramento, CA 95814

RE: OPPOSITION TO AB 375

Dear Senator Jackson:

AT&T supports robust and consistent privacy protections that apply across the Internet, but must respectfully oppose AB 375.

Unfortunately, AB 375 does not increase consumer privacy protections. Rather, the bill creates consumer confusion with regard to use of online data, leading to a diminished Internet experience. The imposition of onerous privacy regulations solely on Internet service providers – and not other companies that collect and use consumer data – would give consumers a false sense of security that their online privacy is being protected. As federal and state governments have long recognized, consumer privacy laws should be based on the sensitivity of the data involved and how it is being used, not the company holding the data.

The Internet operates on an interstate basis. A patchwork of state Internet privacy rules that are inconsistent with existing federal privacy standards would not benefit consumers. The bill mandates a prescriptive approach that takes away the flexibility businesses need to bring innovative products and services to their customers. This innovation, in turn, supports continued broadband investment and deployment. Internet privacy should follow uniform standards across the nation to ensure that all consumers may enjoy the benefits of such innovation with assurance that their privacy is protected, no matter where they are or with which company they do business.

The bill is not needed. The FCC retains statutory authority to enforce consumer privacy protections with respect to Internet service providers. Moreover, AT&T and other major Internet service providers have committed to legally enforceable Privacy Principles that are consistent with the privacy framework developed by the FTC over the past twenty years and applicable across the entire Internet ecosystem. The FCC and the State of California already have the authority to enforce privacy and consumer protections without any need for legislation that could diminish broadband investment, disrupt the emerging ecosystem of an increasing number of interconnected devices, and lead to enormous unintended consequences.

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Our commitment to our customers' privacy has not changed. AT&T privacy protections are the same today as they were when the FCC adopted new rules last fall and the Congressional action had absolutely no effect on the privacy protections AT&T affords its customers.

For the reasons stated and others, AT&T strongly opposes AB 375.

Sincerely,

A handwritten signature in blue ink that reads "William H. Devine".

William H. Devine

cc: The Honorable Edmund G. Brown Jr., Governor of California
The Honorable Anthony Rendon, Speaker of the Assembly
The Honorable Kevin De Leon, President Pro Tem of the Senate
The Honorable Ed Chau, California State Assembly
Members, Senate Judiciary Committee
Margie Estrada Caniglia, Chief Counsel, Senate Judiciary Committee
Mike Peterson, Senate Republican Policy Consultant