



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

July 31, 2009

James W. Cicconi
Senior Executive Vice President-External and Legislative Affairs
AT&T Services, Inc.
1120 20th Street, NW, Suite 1000
Washington, DC 20036

RE: Apple's Rejection of the Google Voice for iPhone Application

Dear Mr. Cicconi:

Recent press reports indicate that Apple has declined to approve the Google Voice application for the iPhone and has removed related (and previously approved) third-party applications from the iPhone App Store.¹ In light of pending FCC proceedings regarding wireless open access (RM-11361) and handset exclusivity (RM-11497), we are interested in a more complete understanding of this situation.

To that end, please provide answers to the following questions by close of business on Friday, August 21, 2009.

1. What role, if any, did AT&T play in Apple's consideration of the Google Voice and related applications? What role, if any, does AT&T play in consideration of iPhone applications generally? What roles are specified in the contractual provisions between Apple and AT&T (or in any non-contractual understanding between the companies) regarding the consideration of particular iPhone applications?
2. Did Apple consult with AT&T in the process of deciding to reject the Google Voice application? If so, please describe any communications between AT&T and Apple or Google on this topic, including the parties involved and a summary of any meetings or discussions.
3. Please explain AT&T's understanding of any differences between the Google Voice iPhone application and any Voice over Internet Protocol applications that are currently used on the AT&T network, either via the iPhone or via handsets other than the iPhone.

¹ See, e.g., Jenna Wortham, "Even Google is Blocked With Apps for iPhone," *New York Times*, July 28, 2009.

4. To AT&T's knowledge, what other applications have been rejected for use on the iPhone? Which of these applications were designed to operate on AT&T's 3G network? What was AT&T's role in considering whether such applications would be approved or rejected?
5. Please detail any conditions included in AT&T's agreements or contracts with Apple for the iPhone related to the certification of applications or any particular application's ability to use AT&T's 3G network.
6. Are there any terms in AT&T's customer agreements that limit customer usage of certain third-party applications? If so, please indicate how consumers are informed of such limitations and whether such limitations are posted on the iTunes website as well. In general, what is AT&T's role in certifying applications on devices that run over AT&T's 3G network? What, if any, applications require AT&T's approval to be added to a device? Are there any differences between AT&T's treatment of the iPhone and other devices used on its 3G network?
7. Please list the services/applications that AT&T provides for the iPhone, and whether there any similar, competing iPhone applications offered by other providers in Apple's App Store.
8. Do any devices that operate on AT&T's network allow use of the Google Voice application? Do any devices that operate on AT&T's network allow use of other applications that have been rejected for the iPhone?
9. Please explain whether, on AT&T's network, consumers' access to and usage of Google Voice is disabled on the iPhone but permitted on other handsets, including Research in Motion's BlackBerry devices.

Request for Confidential Treatment. If AT&T requests that any information or documents responsive to this letter be treated in a confidential manner, it shall submit, along with all responsive information and documents, a statement in accordance with section 0.459 of the Commission's rules. 47 C.F.R. § 0.459. Requests for confidential treatment must comply with the requirements of section 0.459, including the standards of specificity mandated by section 0.459(b). Accordingly, "blanket" requests for confidentiality of a large set of documents are unacceptable. Pursuant to section 0.459(c), the Bureau will not consider requests that do not comply with the requirements of section 0.459.

Thank you in advance for your anticipated cooperation.

Sincerely,

James D. Schlichting
Acting Chief
Wireless Telecommunications Bureau
Federal Communications Commission