

October 18, 2024

Jessica Rosenworcel
Chairwoman
Federal Communications Commission
45 L Street, NE
Washington, DC 20554

Re: *Promoting Consumer Choice and Wireless Competition Through Handset Unlocking Requirements and Policies, WT Docket No. 24-186*

Dear Chairwoman Rosenworcel:

The below-signed organizations write to support the FCC's proposed rule that would require all mobile wireless service providers to automatically unlock consumer handsets no more than 60 days after activation. This proposal can increase consumer choice, lower costs, and improve competition in the wireless marketplace.

Wireless users are subject to unnecessary restrictions in the form of locked devices, which tie them to their service providers even when better options may be available. Handset locking practices limit consumer freedom and lessen competition by creating an artificial technological barrier to switching providers.

The 60-day automatic unlocking requirement proposed by the FCC is a simple solution to these issues. It balances the need to allow wireless providers to detect and deter fraud with the imperative to protect consumer choice.

It is important that device unlocking is truly automatic—that is, unlocked after the requisite time period without any additional actions of the consumer—to avoid incurring additional delays or creating other barriers to switching. Providers should be required to transition out of selling devices without this capability and the industry-wide rule should be the same as the one protecting Verizon customers today: after the expiration of the initial period, the handset must automatically unlock regardless of whether: (1) the customer asks for the handset to be unlocked or (2) the handset is fully paid off.¹ Removing this barrier to switching will make the standard simple for consumers and encourage providers to compete more vigorously on mobile service price, quality, and innovation.

Moreover, unlocking devices will improve transparency in the marketplace. A uniform unlocking standard will eliminate the confusing and inconsistent policies currently used by various providers. Consumers deserve clear and consistent rules regarding when their devices can be unlocked, and the proposed rule offers that clarity.

¹ See *Promoting Consumer Choice and Wireless Competition Through Handset Unlocking Requirements and Policies*, Notice of Proposed Rulemaking, WT Docket No. 24-186, FCC 24-77 (Jul. 19, 2024), ¶ 8.

There is also an environmental and social benefit to this rule. The secondary market for mobile devices, which includes refurbished phones and used devices, is vital for many low-income consumers. By ensuring that devices are unlocked after no more than 60 days, the proposed rule will expand the pool of devices available on the secondary market, reducing costs for these consumers and contributing to environmental sustainability by extending the life of these devices. Further, we should not overlook the potential this rule has to reduce electronic waste by promoting the reuse of devices that might otherwise be discarded.

Finally, the Commission should recognize the specific benefits this proposal will have for historically underserved communities. Households that rely on mobile-only internet service, which includes a significant percentage of communities of color, are disproportionately affected by handset locking. For these households, the ability to switch providers without purchasing new devices is crucial for maintaining access to affordable communications services. Lower-income consumers will also benefit more if this rule encourages carriers to compete on price by lowering the monthly service fee rather than focusing so-called “discounts” on the sale of handsets, which the current lock-in policy encourages them to do. Unlocking policies will help ensure that these communities have the same opportunities to benefit from competition in the wireless marketplace.

For these reasons, we encourage the Commission to adopt the proposed unlocking requirement. Thank you for your leadership on this important issue and for your continued efforts to protect consumer rights.

Respectfully submitted,

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