

**AT&T Leap Wireless
WT #13-193**

In the matter set forth to the commission for the approval of the purchase of Leap Wireless by AT&T Wireless. I wish this information to be considered.

In an article published by the N.Y. Times, a NSA DEA program "Hemisphere" had shown that AT&T had participated in this program to gather "Location" and "Call Information" data under these programs. I believe that AT&T had discovered a "Loophole" within this program to cause the 7.1 million Go-Phone customers to be "Overcharged" on calls placed over the AT&T Network. When the Go-Phone customer placed a call over the AT&T network, and "Disconnected" the call by pushing the "End Button" the customer disconnection time was "Extended" to track location and call data under the "Hemisphere" program. This action resulted in an extra 10 cent charge on calls placed by customers over the AT&T network, by extending the actual call time into the next minute of airtime, not used by the customer. An example is Picture DSCT3A a 29 second call that should have had a charge of 10 cents, for under a minute. Picture DSCT3B is the data on this call from the AT&T website, that shows that this call was extended, after customer disconnect, to place the call time at 1 minute and 2 seconds. This action resulted in an overcharge to the customer of an extra 10 cents on this call. This airtime was not used by the customer. Since the same software is used for all Go-Phone users. All calls placed by customers on the AT&T Go-Phone Network, 7.1 million users, would incur this extra charge on just about every call, resulting in millions of dollars in overcharges per day. At no time has AT&T investigated this problem after this problem was brought to their attention. The AT&T answer is shown in the letter to the California Attorney General, which does not explain why there is a 33 second delay after customer disconnect. I feel that this matter should be fully investigated prior to any consideration of the AT&T Leap Wireless purchase. I have many examples to show a pattern of abuse with the time delay and overcharges.

William Jay Fogal