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Arizona Corporation Commission
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Winter Park, FL
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RE: 1st Set of Data Requests for **Arizona DialTone, Inc., d/b/a Touch Home Phone Service**
Docket RT-00000J-99-0034

Tel: 407-740-8575
Fax: 407-740-0613
tmi@tminc.com

Dear Sirs:

Enclosed for filing is the original and twelve (12) required additional copies of the 1st Set of Data Requests submitted on behalf of Arizona DialTone, Inc., d/b/a Touch Home Phone Service. This data request was originally filed with the Commission on September 24, 2004, and pertains to the above referenced Docket Number.

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for that purpose.

Any questions you may have regarding this filing may be directed to me attention at (407) 740-3008 or at cneeld@tminc.com.

Sincerely,

Craig Neeld
Consultant to Arizona DialTone, Inc.

Arizona Corporation Commission

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cc: Thomas Bade, Arizona DialTone, Inc.
Caroline Butler, Paralegal, Legal Division
Maureen A. Scott, Attorney, Legal Division
file: Arizona DialTone, Inc.- AZ - Local
tms: AZi0400c

**ARIZONA DIALTONE, INC. D/B/A TOUCH HOME PHONE SERVICE RESPONSE TO
ARIZONA CORPORATION COMMISSION
STAFF'S FIRST SET OF DATA REQUESTS
DOCKET NO. RT-00000J-02-0066 (CPNI)**

STF 1.1 Is your company currently in compliance with A.R.S. Section 40-202 (c)(5)? If not, why not?

Response: Yes.

STF 1.2 Is the Commission required to adopt rules consistent with A.R.S. Section 40 202(c)(5)? If not, why not?

Response: Arizona Dialtone, Inc. d/b/a Touch Home Phone Service has no opinion on this issue at this time.

STF 1.3 Should the Commission adopt rules that are consistent with A.R.S. Section 40-202(c)(5)? If not, why not?

Response: Arizona Dialtone, Inc. d/b/a Touch Home Phone Service has no opinion on this issue at this time.

STF 1.4 What is the significance of A.R.S. -Section 40-202(c)(5) with regard to the release of CPNI in Arizona?

Response: Arizona Dialtone, Inc. d/b/a Touch Home Phone Service has no opinion on this issue at this time.

STF 1.5 Please provide a corporate organizational chart which shows all affiliates and your company's relationship to each.

Response: The corporate organization is comprised of: Gregory Riggle, CEO, William S. Levine, Sec/Treasurer, Thomas Bade, President

STF 1.6 Please indicate which of your affiliates provide communications-related services to the public.

Response: N/A

STF 1.7 Please indicate which of your affiliates provide non-communications-related services to the public.

Response: N/A

STF 1.8 Please indicate if your company shares its CPNI with any affiliated companies providing communications-related services to the public. Please identify all such affiliates.

Response: N/A – Arizona Dialtone, Inc. d/b/a Touch Home Phone Service shares no CPNI with any entity.

STF 1.9 Please indicate if your company shares its CPNI with any affiliated companies providing non-communications-related services to the public. Please identify all such affiliates.

Response: N/A – Arizona Dialtone, Inc. d/b/a Touch Home Phone Service shares no CPNI with any entity.

STF 1.10 What customer approval mechanism does your company use for sharing its CPNI with affiliated companies providing communications-related services to the public?

Response: N/A – Arizona Dialtone, Inc. d/b/a Touch Home Phone Service shares no CPNI with any entity.

STF 1.11 What customer approval mechanism does your company use for sharing CPNI with affiliated companies providing non-communications-related services to the public?

Response: Not applicable. See response to STF 1.9.

STF 1.12 Does your company share its CPNI with any third-parties? Please identify any third parties with whom your company shares its customer CPNI and identify the circumstances under which customer CPNI is shared with such third parties.

Response: No, Arizona Dialtone, Inc. d/b/a Touch Home Phone Service does not share CPNI.

STF 1.13 Please provide a copy of all customer notices regarding CPNI sent to your customers in the last three years.

Response: No such notices have been provided to Touch's Arizona customers. Touch does not provide the CPNI of its Arizona customers to any third party.

STF 1.14 Please indicate whether your company has received any complaints regarding sharing of customer CPNI in the last three years. If yes, please describe number and type of complaints.

Response: No such complaints have been received by Touch's Arizona customers.

STF 1.15 Do any of the third parties or affiliates identified in your responses to Questions 8, 9, 12 share the CPNI with other third parties and/or affiliates. If yes, under what circumstances? If no, is there anything that would prevent them from sharing the information with other entities?

Response: N/A - Arizona Dialtone, Inc. d/b/a Touch Home Phone Service does not share CPNI.

STF 1.16 If the Commission's proposed rules allowed your company to include the CPNI notice with the customer's bill, would your company be willing to place a legend on the envelope indicating "IMPORTANT, CUSTOMER PRIVACY NOTICE AND ELECTION INCLUDED". Please provide an estimate of your costs of complying with this requirement versus a separate mailing.

Response: N/A.

STF 1.17 What process does your company follow if a customer revokes his/her current privacy election. Please describe in detail.

Response: N/A.

STF 1.18 Assume that a customer takes cell phone, internet access and phone service from your company and its affiliates. Please describe in this situation the type of customer approval required under current FCC rules for sharing of CPNI.

Response: N/A. Touch does have any affiliates and does not share the CPNI of its Arizona customers with non-affiliated entities.

STF 1.19 Please provide a reasonable estimate of what your costs of complying with the various sections of the proposed Second Draft Arizona rules would be? Please describe how your cost estimate was derived.

Response: Touch has not developed such an estimate.

- STF 1.20 Does your company currently undertake any verification of a customer's election to have his or her CPNI shared or not to have his or her CPNI shared. If yes, please describe in detail.
- Response: N/A. Touch does not share the CPNI of its Arizona customers and therefore does not request customers to make such an election.
- STF 1.21 Would your company be more amenable to a verification requirement if it had the opportunity under the rules to request an extension of time from the Commission to complete verification upon good cause shown.
- Response: Touch has no opinion regarding this issue at this time
- STF 1.22 Has your company ever shared CPNI by mistake. If so, please describe in detail the circumstances of such disclosure and what was done to correct the mistake.
- Response: No.
- STF 1.23 If your company discovered that it had shared a particular customer's CPNI by mistake what would your company's process be to correct this mistake. Please describe your processes in detail.
- Response: Arizona Dialtone, Inc. d/b/a Touch Home Phone Service does not share the CPNI of any of its Arizona customers; therefore, this situation would not arise.
- STF 1.24 Reference RUCO's comments on the Staff's Second Draft Rules, would your company be willing to send at least one notice describing a customer's CPNI rights in writing to the customer each year.
- Response: Arizona Dialtone, Inc. d/b/a Touch Home Phone Service will comply with all approved Commission rules regarding CPNI.
- STF 1.25 How does your company handle a customer's CPNI once they have left and gone with another provider?
- Response: Arizona Dialtone, Inc. d/b/a Touch Home Phone Service stores CPNI electronically after a customer terminates service. Touch does not provide CPNI to any third parties.
- STF 1.26 Please indicate whether your customer CPNI notices are provided in different languages? If yes, which ones and how is this determined. Please attach a notice in a language other than English that your company has sent in the last 3 years.
- Response: Arizona Dialtone, Inc. d/b/a Touch Home Phone Service does not provide CPNI notices, because it does not share the CPNI of its Arizona customers.
- STF 1.27 If your company currently has utilized the opt-out approval mechanism, what percentage of customers did not respond to the notice allowing your company to use their CPNI with affiliates providing communications-related services?
- Response: N/A.
- STF 1.28 If your company has utilized the opt-in approval mechanism, what percentage of customers responded to the notice allowing your company to use their CPNI with affiliates providing non-communications-related services?
- Response: N/A.

STF 1.29 Please indicate whether for Questions 27 and 28 above, the notice was imparted by oral, electronic or written means. Was there any follow-up with the customer?

Response: N/A.

STF 1.30 Please indicate the reasons that CPNI may be shared with affiliates and/or third parties?

Response: N/A. Arizona Dialtone, Inc. d/b/a Touch Home Phone Service does not share the CPNI of its Arizona customers with third parties.

STF 1.31 For all affiliates and third parties identified in response to questions, 6,7,and 12, identify all legal enforceable limits or controls on affiliate's or third parties use or handling of CPNI.

Response: N/A.

STF 1.32 Please provide any and all evidence in your possession that customers understand the "opt-out" approval mechanism with respect to release of their CPNI.

Response: N/A.

STF 1.33 Please describe all customer educational activities on CPNI under-taken by your company in the last 3 years.

Response: None.

STF 1.34 Please provide any and all evidence in your possession that indicates that the decision to release CPNI is "knowing" for customers "opting-out".

Response: N/A.

STF 1.35 Please describe how your company's ability to communicate with customers is adversely affected by a subsequent verification requirement.

Response: Touch has no opinion regarding this issue at this time

STF 1.36 Please provide any customers surveys or studies your company has done pertaining to customer CPNI.

Response: None.