

EXCEPTION

OPEN MEETING AGENDA ITEM



0000035040

ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION

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JEFF HATCH-MILLER
Chairman

WILLIAM A. MUNDELL
Commissioner

MARC SPITZER
Commissioner

MIKE GLEASON
Commissioner

KRISTIN K. MAYES
Commissioner

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AZ CORP COMMISSION
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IN THE MATTER OF DISSEMINATION OF)
CUSTOMER PROPRIETARY NETWORK)
INFORMATION BY)
TELECOMMUNICATIONS CARRIERS)

Docket No. RT-00000J-02-0066

MCI'S EXCEPTIONS TO PROPOSED ORDER

The regulated subsidiaries of MCI, Inc., fka WorldCom, Inc., ("MCI") submit these exceptions to the recommended opinion and order ("RO&O") issued in this docket on October 25, 2005. Without repeating its previously filed comments in this proceeding, MCI again requests the Arizona Corporation Commission ("Commission") issue Customer Proprietary Network Information ("CPNI") rules that are consistent with the current CPNI rules issued by the Federal Communications Commission ("FCC").

The Commission and its Staff were concerned about Qwest Corporation's use of CPNI in 2001, as is described several times in the summary of comments and analysis attached to the RO&O. However, there is no evidence that the current FCC CPNI rules do

1 not address those concerns. Nevertheless, the proposed CPNI rules are stricter than those
2 of the FCC, especially regarding the opt-out option described in proposed Rule R14-2-
3 2108. The FCC specifically and intentionally established two methods of customer
4 approval (opt-in and opt-out). However, the additional proposed opt-out verification
5 requirements effectively negate the distinction between the two approval methods. MCI
6 does not believe the added burden of the verification requirements is justified.
7

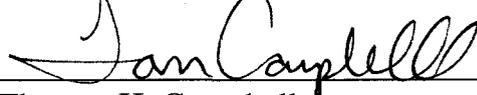
8 The proposed rules also adopt some other stricter requirements such as the issuance
9 of notices by mandating a specific font size and requiring a specific statement on the
10 mailing envelope. These requirements add costs without a corresponding customer
11 benefit.
12

13 As a national provider of telecommunications services, MCI must comply with
14 rules issued by the FCC and various state jurisdictions. Unique requirements in a given
15 state require MCI to train its employees to know, understand, and fully implement any
16 unique requirements and require MCI to modify its systems in order to comply with
17 unique requirements. Accordingly, MCI must incur additional costs to conduct its
18 business in Arizona that could result in such increases being passed on to its customers,
19 both within and without Arizona in the form of higher rates or charges.
20

21 Therefore, for the reasons stated here as well as in its prior comments and
22 consistent with the comments of other telecommunications carriers, MCI respectfully
23 requests the Commission adopt CPNI rules consistent with those issued by the FCC.
24
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26

1 Respectfully submitted this 3rd day of November, 2005.

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