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BEFORE THE ARIZONA CORPORATION COMMISSION

**COMMISSIONERS**

JEFF HATCH-MILLER, Chairman  
WILLIAM A. MUNDELL  
MARC SPITZER  
MIKE GLEASON  
COMMISSIONER  
KRISTIN K. MAYES

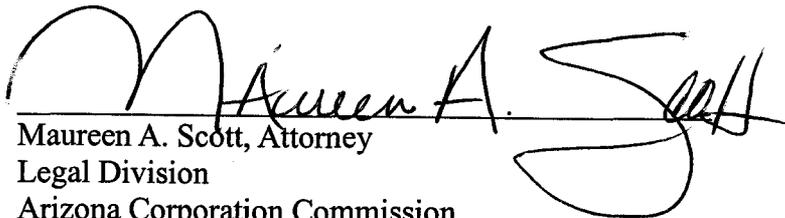
IN THE MATTER OF  
DISSEMINATION OF INDIVIDUAL  
CUSTOMER PROPRIETARY  
NETWORK INFORMATION BY  
TELECOMMUNICATIONS  
CARRIERS

Docket No. RT-00000J-02-0066

**NOTICE OF FILING STAFF'S REVISED  
THIRD SET OF DATA REQUESTS TO  
TELECOMMUNICATIONS COMPANIES**

The Arizona Corporation Commission Staff ("Staff") hereby files its Revised Third Set of Data Requests to Telecommunications Companies in the above-entitled matter.

RESPECTFULLY SUBMITTED this 29<sup>th</sup> day of December, 2005.

  
Maureen A. Scott, Attorney  
Legal Division  
Arizona Corporation Commission  
1200 West Washington Street  
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Telephone: (602) 542-3402

The Original and Thirteen (13) copies of the foregoing were filed this 29<sup>th</sup> day of December, 2005 with:

Docket Control  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

Copies of the foregoing were mailed this 29<sup>th</sup> day of December, 2005 to:

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DOCUMENT CONTROL

**ARIZONA CORPORATION COMMISSION STAFF'S  
THIRD SET OF DATA REQUESTS (REVISED)  
TO TELECOMMUNICATIONS COMPANIES  
DOCKET NO. RT-00000J-02-0066 (CPNI)  
DECEMBER 29, 2005**

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- STF 3.1 Please indicate whether any unaffiliated company(s) or individual(s) have obtained copies of any individual customer CPNI of your Company or any of its affiliates through opt-in approval.
- STF 3.2 If your response to Question 1 is "yes", please provide the names of all unaffiliated companies that have obtained copies of any individual customer CPNI of your Company or any of its affiliates through opt-in approval.
- STF 3.3 For each company listed in your response to Question 2, please indicate what the unaffiliated company intends to use the individual customer CPNI for.
- STF 3.4 For each company listed in response to Question 2 above, please indicate the number of individual customer CPNI records that the unaffiliated has access to?
- STF 3.5 Please indicate whether any unaffiliated company(s) have obtained copies of any individual customer CPNI of your Company or any of its affiliates without obtaining opt-in approval.
- STF 3.6 If your response to Question 5 is "yes", please list the unaffiliated company(s) that you are aware of that have obtained copies of any individual customer CPNI of your Company, or any of its affiliates without obtaining opt-in approval.
- STF 3.7 For each company listed in your response to Question 6, please indicate if the unaffiliated company is offering the individual customer CPNI for sale to the public?
- STF 3.8 If your response to Question 5 is "yes", and for each unaffiliated company listed in Question 6, please indicate how the unaffiliated company(s) obtained the individual customer CPNI of your Company or any of its affiliates?
- STF 3.9 For each company listed in your response to Question 6, please indicate approximately how many individual customer CPNI records were unlawfully obtained by the unaffiliated company.

**ARIZONA CORPORATION COMMISSION STAFF'S  
THIRD SET OF DATA REQUESTS (REVISED)  
TO TELECOMMUNICATIONS COMPANIES  
DOCKET NO. RT-00000J-02-0066 (CPNI)  
DECEMBER 29, 2005**

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- STF 3.10 For all of the companies listed in your response to Question 6, please indicate what steps you have taken to get the unlawfully obtained individual customer CPNI records back into your possession.
- STF 3.11 If your Company has filed a complaint or requested an injunction by a court, please provide copies of all briefs that your company and the defendant unaffiliated company filed; along with a copy of any court order.
- STF 3.12 If your answer to Question 5 was yes, please indicate with specificity what steps you have instituted internally at your Company to ensure this sort of breach does not occur again in the future?
- STF 3.13 Please refer to the attached news releases in responding to A through E.
- A. Has your Company experienced any breaches of security of this nature that you are aware of?
  - B. Please describe how any such breaches involving your Company are occurring.
  - C. Please indicate whether you have done any investigations to determine whether your Company's CPNI is being sold on any websites.
  - D. If your response to question "C" is no, please indicate why you have not done any such investigation.
  - E. Please indicate how you intend to prevent such breaches in the future.

- **New Jersey Court Bars Company From Selling Verizon Records**

The Superior Court of New Jersey for Somerset County has barred a Tennessee company from accessing and selling Verizon Wireless clients' private phone records.

According to Verizon, Source Resources, Inc., advertised on its Web site that it had the capability to obtain confidential wireless telephone records, for which it charged a fee. Verizon says it filed the lawsuit after a client charged that Source had gotten access to his confidential wireless phone records without his permission. Verizon sued Source, seeking to bar the company from acquiring, possessing, or selling confidential customer account information without a court order or the client's consent.

Superior Court Judge Harriet Derman complied and ordered a permanent injunction against Source after the two companies reached a settlement requiring Source to surrender the documents of its transactions involving Verizon customer records, as well as information as to how it obtained the records.

## Markey Calls on FCC, FTC To Protect Subscriber Records

Rep. Edward J. Markey (D., Mass.), the ranking member on the House Energy and Commerce Committee's telecommunications and the Internet subcommittee, has asked the FCC and the Federal Trade Commission to act to halt the sale of mobile phone subscribers' records.

Rep. Markey wrote FCC Chairman Kevin J. Martin and FTC Chairman Deborah P. Majoras recently in the wake of news reports on the commercial availability of consumer phone records, including Web sites that sell records for as little as \$89.95.

"It is ILLEGAL to disclose this information without the approval of telephone subscribers," said Rep. Markey. "The privacy of American citizens is priceless - the phone records of consumers should not be commodities for sale in any cyberspace bazaar."

In addition to asking the FCC and FTC to act to halt the practice of selling phone records, Rep. Markey wants the agencies to detail what rules carriers must follow to protect such information.

Carriers such as Verizon Wireless have secured injunctions against companies that sell phone records.

On another front, the Electronic Privacy Information Center recently asked the FCC to initiate a proceeding in an effort to create stricter security standards to prevent the release of consumer proprietary network information.

12/7/2005

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