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OPEN MEETING AGENDA ITEM



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MAR 15 2006

March 14, 2006

LEGAL DIV
ARIZ. CORPORATION COMMISSION

Arizona Corporation Commission
Docket Control – Utilities Division
1200 West Washington Street
Phoenix, AZ 85007

Re: Responses to Staff's Revised Third Set of Data Requests
CPNI Docket No. RT-00000J-02-0066

Dear Docket Control Administrator:

Enclosed for filing are the original and 13 copies of AT&T Communications of the Mountain States, Inc. and TCG Phoenix's Responses to the Staff's Revised Third Set of Data Requests in the above-referenced docket.

If you have any questions or concerns, please do not hesitate to contact me at 303-299-5708.

Sincerely,

Letty S.D. Friesen
AT&T Enterprise Services, Inc.
2535 E. 40th Avenue
Denver, Colorado 80211

Encl.

cc: Maureen Scott

OPEN MEETING AGENDA ITEM

BEFORE THE ARIZONA CORPORATION COMMISSION

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JEFF HATCH-MILLER
Chairman
WILLIAM A. MUNDELL
Commissioner
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Commissioner

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LEGAL DIV.
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IN THE MATTER OF)
DISSEMINATION OF INDIVIDUAL)
CUSTOMER PROPRIETARY NETWORK)
INFORMATION BY)
TELECOMMUNICATIONS CARRIERS)

DOCKET NO. RT-00000J-02-0066

AT&T'S RESPONSES TO STAFF'S
REVISED THIRD SET OF DATA
REQUESTS

AT&T Communications of the Mountain States, Inc. and TCG Phoenix

(collectively "AT&T") hereby submit these responses to the Staff's Third Set of Data

Requests (Revised) with regard to their operations in Arizona.

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.

RESPONSE TO 3.1

No

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.

RESPONSE TO 3.2

Not applicable

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.

RESPONSE TO 3.3

Not applicable

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?

RESPONSE TO 3.4

Not applicable

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.

RESPONSE TO 3.5

In limited situations, as explicitly permitted by Sec. 222(c)(1) and Sec. 222 (d) of the Communications Act, as well as by the FCC's Rules (47 C.F.R. Sec. 2001 *et seq.*) and the Rules of this Commission, AT&T Corp. has shared CPNI information of individual customers with unaffiliated companies for the purpose of providing, initiating, maintaining, repairing, billing and collecting for the individuals' telecommunications services, without obtaining opt-in approval of the individual customers. Subject to that exception, to AT&T's knowledge no unaffiliated companies have obtained individual customer CPNI without obtaining opt-in approval. Therefore, no "breach," as referenced in STF 3.12, has occurred, and none of the disclosures has been "unlawful" as referenced in STF 3.9 and STF 3.10.

To the extent AT&T allows access to CPNI to unaffiliated companies as described above, those companies are required by AT&T to use the CPNI only as directed by AT&T and to protect the information as if it were their information.

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.

RESPONSE TO 3.6

As discussed above in response to STF 3.5, the limited instances in which AT&T has disclosed individual customer CPNI to unaffiliated companies without obtaining opt-in approval have all been permissible pursuant to Sec. 222(c)(1) and Sec. 222 (d) of the Communications Act, as well as by the FCC's Rules (47 C.F.R. Sec. 2000 et seq.) and the Rules of this Commission.

As an example, AT&T contracts with ACS Commercial Solutions, Inc. (“ACS”) to provide certain customer services on AT&T's behalf. Specifically, ACS personnel respond to customer inquiries related to items on the customer's bill, billing adjustments, and changes to features and services on the customer's account. Pursuant to the agreement with ACS, ACS is contractually obligated to safeguard the confidentiality of the information provided. Specifically, the contract provides: ACS shall keep information, including customer information, confidential and use it only in performing under the agreement with AT&T and obligate its employees, subcontractors and others working for it to do so.

To the extent that this question seeks information pertaining to a security “breach” as referenced in STF 3.12 or “unlawful” disclosures as referenced in STF 3.9 and 3.10, AT&T has no companies to list.

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?

RESPONSE TO 3.7

Not applicable.

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?

RESPONSE TO 3.8

Not applicable

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.

RESPONSE TO 3.9

Not applicable

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.

RESPONSE TO 3.10

Not applicable

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.

RESPONSE TO 3.11

Not applicable

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?

RESPONSE TO 3.12

Not applicable

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?

RESPONSE TO 3.13 A

No

B. Please describe how any such breaches involving your Company are occurring.

RESPONSE TO 3.13 B

Not applicable

C. Please indicate whether you have done any investigations to determine whether your Company's CPNI is being sold on any websites.

RESPONSE TO 3.13 C

Yes

D. If your response to question "C" is no, please indicate why you have not done any such investigation.

RESPONSE TO 3.13 D

Not applicable

E. Please indicate how you intend to prevent such breaches in the future.

RESPONSE TO 3.13 E

Not applicable

Respectfully submitted this 14th day of March, 2006

AT&T COMMUNICATIONS OF THE
MOUNTAIN STATES, INC. AND TCG
PHOENIX

By: 

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