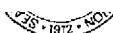


WILLIAM A. MUNDELL  
CHAIRMAN  
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COMMISSIONER



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March 4, 2002

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The Honorable John McCain  
Senate Committee On Commerce,  
Technology, and Transportation  
241 Russell Senate Office Building  
Washington, D.C. 20510-0303

Re: Customer Proprietary Network Information (CPNI) Process Investigation  
Docket No. RT-00000J-02-0066

Dear Senator McCain:

Thank you for your letter of February 1, 2002 regarding the Arizona Corporation Commission's efforts to protect the privacy of Arizonans as it relates to the dissemination of information regarding their telephone usage. I was greatly alarmed over the fact that information regarding whom a customer calls, the duration of the calls, and the frequency of them were all subject to being shared by Qwest within their family of companies and with third party entities that Qwest had a relationship with unless the customer opted out by contacting Qwest.

The issue, as you know, has temporarily shifted, as a result of Qwest reversing its position in Arizona. The company has agreed to await the outcome of Federal Communications Commission rule-making proceedings, in which an overwhelming majority of the states have asked that the opt out requirement be eliminated and that it be replaced with an opt in requirement. It seems to my colleagues and me that basic fairness should require telecommunication providers to first obtain its customer's written authorization prior to the dissemination of information regarding their personal phone usage.

I have included a copy of the letter my colleagues and I have submitted to the FCC on this matter. Any assistance that you and your colleagues on the Commerce Committee can provide legislatively to protect consumer privacy would be most welcome.

Sincerely,

William A. Mundell  
Chairman, Arizona Corporation Commission

cc: Commissioner Irvin  
Commissioner Spitzer  
Docket Control

Arizona Corporation Commission  
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