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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION

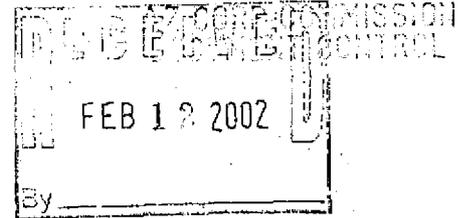
WASHINGTON, DC 20510-6125

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2002 MAR 19 P 12:04

February 1, 2002



The Honorable William A. Mundell
The Honorable Jim Irvin
The Honorable Marc Spitzer
Arizona Corporation Commission
1200 West Washington
Phoenix, AZ 85007

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

Dear Chairman Mundell and Commissioners Irvin and Spitzer:

Thank you for your recent efforts regarding the use of private customer telephone account information.

Privacy is an issue of increasing concern as the advent of new technologies makes it easier for businesses to track, and to trade, information about consumers' transactions. For all the benefits that consumers derive from the customized services that this flow of information provides, many Americans continue to demonstrate their desire to keep their information private. Even when companies are required to send notices, consumers often don't see them or are unable to understand the complicated legal language they contain. I believe that you properly determined that the notices being provided to Arizonans were confusing and could not be construed as providing customers with an opportunity to make an informed and deliberate choice to approve the sharing or disclosure of their private account information.

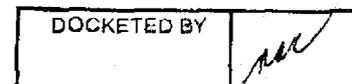
Sincerely,

John McCain
United States Senator

JM/pgm

Arizona Corporation Commission
DOCKETED

MAR 19 2002



WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER



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ARIZONA CORPORATION COMMISSION 2002 MAR -4 P 12:46

March 4, 2002

AZ CORP COMMISSION
DOCUMENT CONTROL

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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MAR 04 2002

