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DA 98-836

## PLEADING CYCLE ESTABLISHED FOR COMMENTS ON TELECOMMUNICATIONS CARRIERS' USE OF CUSTOMER PROPRIETARY NETWORK INFORMATION AND OTHER INFORMATION REQUEST FOR DEFERRAL AND CLARIFICATION

CC Docket No. 96-115

Released: May 1, 1998

Cellular Telecommunications Industry Association (CTIA) filed a request on April 24, 1998, for deferral for 180 days the effective date of new Sections 64.2005(b) (1) and (b) (3) of the rules which were adopted in the Second Report and Order<sup>1</sup> governing the use of customer proprietary network information ("CPNI"), insofar as they apply to the provision of commercial mobile radio services ("CMRS"). CTIA's request states that temporarily postponing the rules' effective date as to CMRS, and clarifying them, will serve the public interest and will preserve the status quo while the Commission addresses petitions to reconsider the rules or to forbear from applying them in whole or in part to CMRS.

GTE Service Corporation on April 29, 1998 filed a petition for temporary and limited forbearance of, or in the alternative, Motion for Stay pending definitive action, on the prohibition regarding the use of CPNI to market certain CPE and information services, and advanced services-CPE. GTE requests this relief as well in connection with the rule concerning the use of CPNI of former customers. We established a pleading cycle regarding these requests as set forth below:

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<sup>1</sup> Implementation of the Telecommunications Act of 1996: Telecommunications Carriers' Use of Customer Proprietary Information and Other Customer Information, FCC 98-27, released February 26, 1998 ("Order"). A summary of the Order was published in the Federal Register on April 24, 1998.

Interested parties should file an original and 12 copies of their comments on the Cellular Telecommunications Industry Association (CTIA) and GTE's requests no later than **May 8, 1998**, and an original and six copies of all reply comments no later than **May 13, 1998**. **All pleadings must be filed with the Secretary, FCC, 1919 M Street, N.W., Washington, D.C. 20554 and must reference CC Docket No. 96-115.** An additional copy of all pleadings should also be sent to Janice Myles, Common Carrier Bureau, FCC, Room 544, 1919 M Street, N.W., Washington, D.C. 20554, and to the Commission's contractor for public service records duplication: **International Transcription Services, Inc. (ITS, Inc.), 1231 20th Street, N.W., Washington, D.C. 20036.** The requests are available for public inspection and copying during normal business hours in the FCC's Public Reference Center, Room 239, 1919 M Street, N.W., Washington, D.C. 20554. Copies can also be obtained from ITS at 2131 20th Street, N.W., Washington, D.C. 20036, or by calling ITS at (202) 857-3800 or faxing ITS at 202-857-3805.

We will treat this proceeding as "permit, but disclose" for purposed of the Commission's *ex parte* rules. *See generally* 47 C.F.R. §§ 1.1200-1.1216. Parties making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must contain a summary of the substance of the presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. *See* 47 C.F.R. § 1.1206(b)(2), as revised. Other rules pertaining to oral and written presentations are set forth in section 1.1206(b) as well. Interested parties are to file with the Commission Secretary, and serve Janice Myles and ITS with copies of any written *ex parte* presentations or summaries of oral *ex parte* presentations in these proceedings in the manner specified above. We also require all written *ex parte* presentations or summaries of oral *ex parte* presentations in this proceeding to be served on all parties to the proceeding.

For further information contact Janice Myles of the Policy and Program Planning Division, Common Carrier Bureau, at (202) 418-1577.