



GTE Service Corporation

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

July 23, 1998

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: CC Docket No. 96-115
Telecommunications Carriers' Use of Customer Proprietary
Network Information and other Customer Information

Dear Ms. Salas:

On July 22, 1998, the Petition of GTE for Reconsideration was filed in above referenced docket. Enclosed is the Declaration of Phil O'Brien referenced on page 7 which was inadvertently omitted. GTE requests the declaration be included with the filing.

Sincerely,

John F. Raposa

Enclosure

cc: Parties of Record

Number of Copies rec'd
DATE

0+12

State of Georgia
County of Fulton, SS.

DECLARATION OF PHIL O'BRIEN

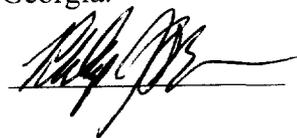
I, Phil O'Brien, declare as follows:

1. I am Director – Product Sourcing for GTE Wireless Incorporated (“GTE”). As such, I have personal knowledge of the matters stated below.
2. GTE has not historically tracked with any reliability whether a customer purchased his or her CPE from GTE or brought the phone from another source. This is true for both the direct and indirect sales channels.
3. When a retail store needs to replenish its stock of phones, GTE’s retail store representatives select certain products from inventory and place orders for customer equipment. The order is entered into the inventory system and a “pick” is generated listing items by part number, quantity, and description that determines which warehouse will pack and ship the products to GTE’s retail stores. At this point, the electronic serial number (“ESN”) of each wireless handset is scanned into an automated system with an order number that is uploaded each day into the inventory system. GTE uses the paired ESN and order number to track the wireless handset from the warehouse to the retail store.
4. When GTE’s retail stores receive wireless handsets, they enter the handsets into inventory by ESN. When sales representatives ring up a sale, they scan or enter manually the ESN into a point of sale system that relieves the item from inventory. This point of sale system, however, does not link directly to GTE’s billing systems for the purposes of noting CPE sales. Only one of GTE’s legacy billing systems provides a field for noting whether a customer has purchased his or her CPE from GTE or somewhere else. In GTE’s other billing system, the fact that a customer brings his or her own phone is noted only by a credit that the customer may receive on his or her bill for providing the equipment. This information is in the billing system for only a short time until it is archived for up to a year.
5. Because whether a customer purchased his or her handset from GTE has never been of material importance in the past, GTE has not historically required its employees to ensure that notations with respect to CPE are reliable. Most importantly, GTE’s only accurate record of the sale of wireless handsets, the point of sale system, does not feed CPE information either into GTE’s activation systems, billing systems, or its marketing databases. Even for GTE’s billing system that contains a field for CPE sales, GTE must rely on sales representatives’ verbal or electronic entries into its activation system. To cross-check the point of sale system, where available, with GTE’s marketing database

information would be highly burdensome and, if based on past practices, likely to be inaccurate. Thus, GTE has no reliable mechanism through its billing systems or marketing databases to determine whether a customer has purchased a handset from GTE.

6. With respect to GTE's indirect sales channel, GTE has even less information as to whether a customer purchased CPE from GTE. Agents, for example, may or may not purchase CPE from GTE. GTE does not monitor what an agent does with CPE inventory that the agent purchases from GTE. Where relevant, the only notation that GTE makes in its billing systems with respect to agent-provided handsets is that GTE did not provide the customer the handset directly, although GTE may have provided the agent with the handset indirectly. GTE therefore has no record of whether either GTE or the agent provided a customer with CPE through the indirect sales channel.

I declare under penalty of perjury under the laws of the United States and the State of Georgia that the foregoing is true and correct and that this declaration is executed this 21st day of July, 1998, at Atlanta, Fulton County, Georgia.

A handwritten signature in black ink, consisting of several stylized, overlapping letters, positioned above a horizontal line.