

RCDK 97-23

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**USWEST**

Rebecca W. Ward  
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EX PARTE OR LATE FILED

September 1, 1998

Ms. Cecilia Stephens  
Federal Communications Commission  
1919 M Street, N.W.  
Room 544  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Ms. Stephens:

The enclosed 3.5 diskette contains Comments of U S WEST filed today in RHC-LEC Petitions 98. These Comments are in response to the 7/22/98 Public Notice, DA 98-1467, to CPI's 7/20/98 PFDR on the realistic choice standard for implementing the ~~public interest test~~ in Section 271. The 3.5 diskette is formatted in Word Perfect 5.1 for Windows in "read only" mode.

Should you have any questions regarding the diskette, please call me at the above number.

Sincerely,

*Rebecca W. Ward*

Rebecca W. Ward

Enclosure

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CCDET. 97-21

Southern New England Telephone  
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**Jan Prentice**  
Manager  
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August 21, 1998

Ms. Suzan Andrews  
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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20541

Dear Suzan:

Enclosed for delivery to the FCC on *Monday, August 24, 1998* is SNET's Comments on the Petition for Waiver of Customer Proprietary Network Information In the Matter of Telecommunications Carriers Use of Customer Proprietary Network Information and Other Customer Information.

Would you please distribute the copies as follows:

<u>Distribution</u>	<u>To Be Filed With</u>
Original and 4 copies	Secretary
One (1) copy	Janice Myles, Common Carrier Bureau, FCC, Room 544, 1919 M St., NW, Washington, DC 20554
One <b>receipt</b> copy	Return to SNET, please
One copy plus diskette	ITS
One copy plus diskette	Cecilia Stephens, FCC, Room 544 1919 M Street, NW, Washington, DC 20445
One copy	BCR Resource Center

Should you have any questions, please call me at (203) 771-4543. Thank you!

*Jan Prentice*

Enclosure

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Telecommunications Carriers Use	)	
Of Customer Proprietary Network	)	CC Docket 96-115
Information and Other Customer	)	
Information	)	

**THE SOUTHERN NEW ENGLAND TELEPHONE COMPANY COMMENTS ON  
PETITION FOR WAIVER OF CUSTOMER PROPRIETARY NETWORK  
INFORMATION**

**I. Introduction**

On July 16, 1998 the Connecticut Department of Public Utility Control ("Department") submitted to the Federal Communications Commission ("FCC") a Petition for Waiver of the Customer Proprietary Network Information ("CPNI") rules contained in 47 U.S.C. §222, Privacy of Customer Information. Pursuant to a Public Notice dated August 7, 1998, the FCC requested comments on the Department's Petition.

As more fully described in the Department's pleading, the Southern New England Telecommunications Corporation ("SNET") is restructuring its telephone operations into a wholesale company, the Southern New England Telephone Company ("Telco"), and a retail company, SNET America, Inc., a certified local exchange carrier ("CLEC"). The Department is seeking the waiver for the limited purpose of facilitating a ballot process that would allow the Telco retail customers to elect a local service provider from among the CLECs participating in the ballot. SNET hereby submits its Written Comments in support of the Department's limited request for waiver of the CPNI rules.

## II. Argument

The Department initiated a ballot process to give Connecticut customers a formal opportunity to choose a local service provider. The current CPNI rules may affect the ballot itself as well as the Department's plan to allocate non-responding customers to CLECs participating in the ballot process. Specifically, to include the required CPNI notice and signature section would render the ballot lengthy, excessively costly and ultimately very complicated from a consumer's point of view. In addition, under the intended ballot process, those customers failing to elect a local service provider will be allocated to a CLEC participating in the ballot process. These customers will not have given express consent to release any CPNI. The Telco will be required to provide CPNI to the designated CLEC in order to transfer existing local service from the Telco to the designated CLEC. Since FCC rules require full disclosure of CPNI rights and affirmative consent from the customer, allocation of customers not making a CLEC selection and not signing the CPNI authorization would be prohibited. Moreover, given SNET's corporate restructure, at the conclusion of the ballot process, the Telco will no longer provide retail telephone service. Further, the Department has ruled that Telco customers cannot be assigned directly to SNET America, Inc. Consequently, without a waiver, customers who fail to respond to the ballot would not have a local service provider. A waiver would help ensure a smooth transition to a multi-CLEC environment in the state of Connecticut.

## II. Conclusion

For the reasons stated above, SNET supports the Department's request for a waiver of the CPNI rules for the limited purpose of facilitating the ballot process in the state of Connecticut and respectfully requests that the Commission approve the Department's petition. This approval should be only for purposes of the ballot and during the limited time of the actual ballot process to permit the transfer of a customer's CPNI from the Telco to the "winning" CLEC without express customer notification and authorization.

Respectfully submitted,

**THE SOUTHERN NEW ENGLAND  
TELEPHONE COMPANY**

By: \_\_\_\_\_

Wendy S. Bluemling  
Director-Regulatory Affairs  
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203-771-8514

August 24, 1998