PUBLIC NOTICE

Federal Communications Commission
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DA 09-2115
September 24, 2009

PLEADING CYCLE ESTABLISHED FOR STI PREPAID, LLC PETITION REGARDING CUSTOMER AUTHENTICATION PROVISIONS OF CPNI RULES

CC Docket No. 96-115
WC Docket No. 04-36

Comment Date: October 26, 2009
Reply Comment Date: November 10, 2009

The Wireline Competition Bureau seeks comment on a petition filed on August 4, 2009 by STi Prepaid, LLC (STi Prepaid) pursuant to sections 1.2 and 1.3 of the Commission's rules.[1] STi Prepaid asks the Commission to issue a declaratory ruling confirming that telecommunications carriers providing service via prepaid calling cards satisfy the requirement to authenticate a customer under the Commission's customer proprietary network information (CPNI) rules when the customer can provide the personal identification number (PIN) associated with the long distance services and related CPNI.[2] In the alternative, STi Prepaid requests that the Commission find good cause to waive its CPNI rules to allow telecommunications carriers providing services through the use of prepaid calling cards to use a customer-provided PIN as authentication of that customer in satisfaction of the Commission's requirements.[3]

The CPNI rules were adopted by the Commission in the *EPIC CPNI Report and Order* released on April 2, 2007.[4] According to STi Prepaid, given the nature of prepaid long distance services, STi Prepaid does not have sufficient information regarding the consumers using its long distance services to authenticate customer-initiated telephone requests for call detail information, as required by the Commission's CPNI rules.[5]

Interested parties may file comments on STi Prepaid's petition for declaratory ruling, or in the alternative, petition for waiver on or before **October 26, 2009** and reply comments on or before **November 10, 2009**. All pleadings should reference **CC Docket No. 96-115** and **WC Docket No. 04-36**.

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[1] Petition of STi Prepaid, LLC for Declaratory Ruling, or in the Alternative, Petition for Waiver, CC Docket No. 96-115, WC Docket No. 04-36 at 1 (filed Aug. 4, 2009) (STi Prepaid Petition).

[2] *Id.*

[3] *Id.*

[4] *See Implementation of the Telecommunications Act of 1996: Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information; IP-Enabled Services*, CC Docket No. 96-115, WC Docket No. 04-36, Report and Order and Further Notice of Proposed Rulemaking, 22 FCC Rcd 6927 (2007) (*EPIC CPNI Report and Order*), *aff'd sub nom. Nat'l Cable & Telecom. Assoc. v. FCC*, 555 F.3d 996 (D.C. Cir. 2009).

[5] *See* STi Prepaid Petition at 2 (citing 47 C.F.R. § 64.2010 and *EPIC CPNI Report and Order*).

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Suite TW-A325, Washington, DC 20554. Parties should also send a copy of their filings to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554, or by e-mail to CPDcopies@fcc.gov. Parties shall also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554, (202) 488-5300, or via e-mail to fcc@bcpiweb.com.

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: http://www.fcc.gov/cgb/ecfs/. Filers should follow the instructions provided on the website for submitting comments.

  - For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov and include the following words in the body of the message: get form <your email address>. A sample form and directions will be sent in response.

- Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number. **Parties are strongly encouraged to file comments electronically using the Commission's ECFS.**

  Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission.

  - The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.

  - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

  - U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington, DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

Filings and comments are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-488-5300, facsimile 202-488-5563, or via e-mail at fcc@bcpiweb.com.

This Public Notice establishes certain procedural requirements relating to consideration of STi Prepaid's petition for declaratory ruling, or in the alternative petition for waiver. This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.[6] Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented generally is required.[7] Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules.[8]

For further information regarding this proceeding, contact Denise Coca, Competition Policy Division, Wireline Competition Bureau, 202-418-0574, or Tim Stelzig, Competition Policy Division, Wireline Competition Bureau, 202-418-0942.

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[6] *See* 47 C.F.R. §§ 1.1200, 1.1206.

[7] *See* 47 C.F.R. § 1.1206(b).

[8] 47 C.F.R. § 1.1206(b).