

January 16, 2014

Chairman Tom Wheeler
Commissioner Mignon Clyburn
Commissioner Jessica Rosenworcel
Commissioner Ajit Pai
Commissioner Michael O'Rielly
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20054

Re: WC Docket No. 13-306/Public Knowledge Petition for Declaratory Ruling

Dear Chairman Wheeler and Commissioners:

CREDO Mobile, Inc. (CREDO) welcomes the opportunity to comment on the Public Knowledge Petition for Declaratory Ruling (Petition) that Section 222 of the Communications Act prohibits telecommunications providers from selling non-aggregate call records without customers' consent. CREDO is a San Francisco-based MVNO which, with its affiliate, serves more than 150,000 mobile and long distance telephone customers nationwide. On January 8, CREDO released a transparency report detailing the number of governmental requests it has received to turn over customer information. CREDO is the first telecom carrier to release a transparency report after the revelations were made public about the NSA's dragnet that collects information about the phone calls, emails and other communications of virtually all Americans.

As public interest groups argued in the Petition, we agree that unless phone companies get their customers' consent, they may only legally share customer phone call data (Customer Proprietary Network Information or CPNI) with third parties in aggregate form. Not only does the sale of non-aggregate call records to third parties without customer consent violate the law, it violates customers' trust as well. And when larger carriers like AT&T and Verizon engage in behavior that violates customers' trust, it puts pressure on smaller carriers to follow suit. CREDO has never and would never sell customer phone data to the CIA (as AT&T did) or to any other government agency or corporation. But this affects our business in two important ways. First, customers are less likely to believe us when we say that we will protect their information. Second, we must compete against dominant carriers whose revenues are enhanced by selling customer information. It becomes a race to the bottom that is won by those who do not respect the privacy of customer information.

We urge the Commission to declare that call records constitute CPNI even after customers' names have been removed and numbers have been partially obscured, in order to prevent phone companies from selling their customers' information to third parties. Customers share information with their phone carriers because they have no choice. They should be able to trust their phone company not to sell that information.

Sincerely,



Michael Kieschnick, President & CEO
CREDO Mobile, Inc.