

June 13, 2002

Carole Washburn
Secretary, Washington Utilities and Transportation Commission
1300 S. Evergreen Pk. Dr. S.W.
PO Box 47250
Olympia, WA 98504-7250

Re: **Telecommunications Rulemaking, Docket No. UT-990146**

Dear Ms. Washburn:

Public Counsel submits these reply comments in response to the Commission's May 30, 2002 electronic notice of Additional Time for Reply Comments Concerning Customer Information Rules.

Public Counsel has reviewed comments filed by other parties in response to the Commission's April 5, 2002, Notice of Opportunity to Comment on Proposed Rules. We continue to believe, as we stated in our comments filed May 22, 2002, that the April 5, 2002 CR102 proposed rules weaken customer privacy regulations as compared to earlier draft versions of the rules. We strongly disagree with comments of telecommunications carriers advocating for rules that would allow for an "opt-out" mechanism to cover all customer proprietary network information (CPNI). Public Counsel continues to advocate for a comprehensive "opt-in" regime for telecommunications companies use of customer information. The evidence is persuasive that only opt-in regimes adequately protect Washington residents' legitimate expectations of privacy.

We reaffirm our comments filed May 22, 2002 and encourage the Commission to adopt rules that provide a comprehensive "opt-in" regime for telecommunications companies use of CPNI.

Sincerely,

RORBERT W. CROMWELL, JR.
Assistant Attorney General

cc: Glenn Blackmon
Vicki Elliott
Bob Shirley