



Qwest Corporation  
1600 7<sup>th</sup> Ave. Room 3206  
Seattle, Washington 98191

Theresa Jensen  
Director- Washington Regulatory Affairs  
Policy and Law

June 19, 2002

Chairwoman Marilyn Showalter  
Washington Utilities and  
Transportation Commission  
1300 S. Evergreen Park Drive S. W.  
P. O. Box 47250  
Olympia, Washington 98504-7250

Re: Docket No. UT-990146 - Customer Information  
Proposed Rules WAC 480-120-201 to 209, -211 to 216

Dear Chairwoman Showalter:

Attached is the recent United States Supreme Court decision I referenced at our June 3, 2002 meeting. I understand the case revolved around whether the government could prohibit advertising for certain drugs. In its ruling, the Court utilized the Central Hudson test, discussed in prior Qwest comments submitted in this proceeding, to strike down the restriction because the government had failed to demonstrate that alternatives less restrictive of speech were unavailable. The Court observed that even if the statute could be justified as a limitation, the "amount of beneficial speech prohibited" rendered the regulation unconstitutional. This Supreme court decision re-emphasizes the need to avoid adoption of rules that suppress truthful commercial speech.

I have also enclosed Qwest's Reply Comments. Our reply comments are primarily in response to remarks filed by the Electronic Privacy Information Center. I apologize I was unable to submit these comments on June 14, 2002 as requested.

I look forward to your response to Qwest's April 12, 2002 proposed rule revisions. Qwest continues to desire to work with the Commission in the adoption of rules that recognize the free speech rights of both carriers and their customers. Please feel free to call me should you have any questions or if you would like to discuss our proposals further. Should the Commission decide to further modify the proposed customer information rules filed as part of the CR-102, Qwest respectfully requests the Commission share such modifications with the industry at least a week prior to the July 26, 2002 open meeting.

Thank you for your attention to this matter.

Very truly yours,

Commissioner Richard Hemstad  
Commissioner Patrick Oshie  
Carole Washburn  
Bob Shirley

