



September 19, 2006

Washington Utilities and Transportation Commission
P.O. Box 47250
1300 S. Evergreen Park Dr. SW
Olympia, WA 98504-7250

Docket #UT-060856
Supplemental Comments by American Civil Liberties Union of Washington

Dear Chairman Sidran and Commission Members:

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The American Civil Liberties Union of Washington (ACLU-WA) wishes to inform the Commission that the Vermont Public Utilities Commission yesterday denied Verizon's motion to dismiss proceedings before that body concerning alleged disclosure of telephone records. The order is attached. Although the procedural status of that proceeding is quite different from the investigation under consideration by the Commission, the legal reasoning may prove of value to the Commission. The issues are much the same here and in Vermont: the applicability of the state secrets privilege, preemption, and dealing with classified information.

The ACLU-WA urges the Commission to follow Vermont's reasoning, and commence an investigation of all telecommunications companies doing business in Washington State.

Sincerely,

Doug Klunder
Privacy Project Director