

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 7193

Investigation into Alleged Unlawful Customer )  
Records Disclosure by AT&T Communications )  
of New England, Inc. )

Order entered: 6/29/2006

**ORDER OPENING INVESTIGATION**  
**AND NOTICE OF PREHEARING CONFERENCE**

**INTRODUCTION**

On June 21, 2006, the Department of Public Service ("Department") filed a Petition for an Investigation into Alleged Unlawful Customer Records Disclosure by AT&T Communications of New England, Inc. ("AT&T"), a company providing intrastate communications in Vermont. The Petition alleges that the Department sought information from AT&T, pursuant to 30 V.S.A. § 206, regarding disclosure of customer information to the United States National Security Agency and any other state or federal agency. The Department further alleges that AT&T's response "does not even attempt to answer the specific questions posed" and that this has obstructed the Department's ability to discharge its statutory duties. The Department also alleges that AT&T is bound by state and federal laws applicable to disclosure of customer records to third parties for purposes other than connecting, tracking and billing for telephone calls. The Department asks this Board to open an investigation, to impose penalties on AT&T for failing to adequately respond to the Department's request and to order further relief that may be just and proper.

The Department's Petition raises serious issues that we need to resolve. The ability to obtain information is critical to enable the Department to adequately perform its responsibilities. Accordingly, we will open an investigation into the Department's Petition.

We note that similar issues have been raised in Docket No. 7183, Petition of Eight Ratepayers for an Investigation of Possible Disclosure of Private Telephone Records Without Customers' Knowledge or Consent by Verizon New England Inc., d/b/a Verizon Vermont, and also in Docket No. 7192, Petition for Investigation into Alleged Unlawful Customer Records Disclosure by Verizon New England Inc., d/b/a Verizon Vermont. We recognize that the similarity of the factual and legal issues presented in all three dockets may suggest the appropriateness of parallel schedules.

**ORDER**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board of the State of Vermont that:

1. Pursuant to 30 V.S.A. §§ 203, 209, 218(a), an investigation is commenced regarding Alleged Unlawful Customer Records Disclosure by AT&T Communications of New England Inc.

2. Pursuant to 30 V.S.A. § 10, the Board will hold a prehearing conference in this matter on Wednesday, July 19, 2006, commencing at 10:00 A.M., at the Public Service Board Hearing Room, Third Floor, 112 State Street, Montpelier, Vermont.

Dated at Montpelier, Vermont, this 29<sup>th</sup> day of June, 2006.

<u>s/James Volz</u>	)	
	)	
	)	
<u>s/David C. Coen</u>	)	PUBLIC SERVICE
	)	
	)	
<u>s/John D. Burke</u>	)	BOARD
	)	
	)	OF VERMONT

OFFICE OF THE CLERK

FILED: June 29, 2006

ATTEST: s/Susan M. Hudson  
Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: Clerk@psb.state.vt.us)*