



Address Confidentiality Program  
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March 25, 2002

Carole Washburn, Secretary  
The Washington Utilities and Transportation Commission  
P.O. Box 47250  
Olympia, WA 98504-7250

**RE: Docket No. UT-990146**

Thank you for the opportunity to attend the workshops on March 14 and March 22. I found the discussions enlightening and quite informative. This letter specifically addressed the proposed changes to the Customer Information sections of Chapter 480-120 WAC, Docket No. UT-990146.

**Address Confidentiality Program**

The Address Confidentiality Program (ACP) is a substitute address program for crime victims (specifically, domestic violence, sexual assault and stalking) who are in danger of being stalked. While the proposed rule changes may not have a direct affect on the Address Confidentiality *Program*, the adoption of said rules would, no doubt, enhance the safety of many of the Address Confidentiality Program *participants*.

**WUTC Treat Customer Information as Confidential instead of Company Asset**

The ACP is successful because it is founded upon the principle that the only way for state and local government agencies to keep from putting victims in danger is to severely restrict the distribution of a victim's personal information. The information a telephone company has about a customer and their calling behavior is quite personal and quite powerful. I applaud the Commission's attempt to draft rules requiring the Companies to treat customer information as confidential instead of company assets. In the wrong hands, information about a customer's name, phone number, call detail, service address, long distance billing record, and bill summary could put a customer in serious danger. What's more, without the WAC revisions, the distribution of that information could occur without the victim even realizing it had happened.

Ms. Carole Washburn  
WA UTC  
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**Require approval:**

The recent experience with Qwest demonstrates that customers can easily overlook a notice explaining a company's policy. Therefore we strongly support the proposed rule which requires Companies to get explicit approval prior to disclosure. Judge Briscoe of the 10<sup>th</sup> Circuit stated it well, "In particular, the opt-out method, unlike the opt-in method, does not guarantee that a customer will make an informed decision about usage of his or her individually identifiable Telecommunications Carriers' Use of [Customer Proprietary Network Information] CPNI."

**Notice Should Be Sent as a Separate Mailing:**

In addition, we would recommend the Companies be required to send the notice as a separate letter to each customer, not included in a bill. At the March 22 workshop, the phone company stated that a separate letter to each customer would be cost prohibitive. I found it ironic that that afternoon the U.S. Postal Service delivered to my home an advertisement sent in the form of a letter for AT&T's Online One Rate plan. Apparently, that wasn't cost prohibitive.

**Notice Envelope Should Clearly State Privacy Information Enclosed**

The envelope that includes the notice clearly state on the envelope that information about the customer's privacy is contained inside. The letter I received for the One Rate plan had the words, "ATTENTION: Important information concerning your AT&T service enclosed" printed in 18 point Arial font on the envelope. The Companies continue to send advertisements that look like important customer information. No wonder customers overlook truly important information. Therefore, it will be critical for customers to be aware of what is contained inside the mailing.

Again, thank you for the opportunity to participate in your efforts to protect customer private information. If you have any questions regarding my comments, please feel free to contact me at (360) 586-4386.

Sincerely,

Margaret McKinney  
Program Manager

Document mailed to WA UTC on 3/26/02.