

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,) Application No. C-2663/PI-56
on its own motion, to investi-)
gate telecommunications com-) ORDER OPENING DOCKET
panies' release of "customer")
proprietary network information.") Entered: January 29, 2002

BY THE COMMISSION:

In December 2001, Qwest Corporation (Qwest) announced its intention to share customer proprietary network information (CPNI) with Qwest companies and other authorized representatives. Qwest indicated that it would release such information unless the customer "opted-out" and contacted Qwest within 30 days.

The Commission subsequently raised several significant concerns regarding the release of customer proprietary network information. Therefore, the Commission appreciates that Qwest, as of January 28, 2002, voluntarily discontinued the proposed program to release such information.

However, as Qwest has indicated that it may reinstitute such a program after the Federal Communications Commission (FCC) has conducted its review, the Commission is inclined to still open the above-captioned proceeding to investigate any future release of "customer proprietary network information" by Qwest, as well as any other telecommunications carrier that may choose to release this type of information, in the future.

To that end, the Commission will monitor and participate if necessary in the FCC's CPNI review. Furthermore, the Commission intends to monitor the progress of LB1269 (2002), introduced by Senator Landis, during the current legislative session. The Commission believes that all carriers should wait until such time that the FCC clarifies this issue and that the status of LB1269 is determined prior to implementing any similar programs in Nebraska.

The Commission's primary objective is that all customers be afforded a reasonable opportunity to protect their proprietary information. Until such time that this can be assured, the Commission would not support the release of any such proprietary information.

This docket is therefore opened to investigate telecommunications companies' potential release of "customer proprietary network information."

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-2663/PI-56 is hereby opened.

MADE AND ENTERED in Lincoln, Nebraska on this 29th day of January, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director