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Dale Hardy Roberts
Secretary of the Commission
Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65102

Re: Sprint's Comments in Case No. TX-2003-0445

Dear Mr. Roberts:

Sprint Missouri, Inc., Sprint Communications Company, L.P. and Sprint Spectrum, (collectively referred to as "Sprint") have reviewed the Chapter 33.160 Proposed Rules pertaining to Customer Proprietary Network Information ("CPNI") and provides the following comments.

Sprint is not opposed to the Missouri Public Service Commission enacting state rules adopting the federal CPNI regulations; however, Sprint strongly opposes the Chapter 33.160 Proposed Rules where they differ from the FCC CPNI rules. Sprint is pleased that the Chapter 33.160 Proposed Rule mirrors most aspects of the current federal CPNI rules. It is Sprint's position that the comprehensive federal rules are more than adequate to protect the interests of consumers and that there is no need for state-specific CPNI rules that go beyond the FCC rules. The current federal CPNI rules adequately protect consumers. Section 222 of the Act established a national framework governing telecommunications carriers' use of CPNI and the FCC has passed rules to implement protection for consumers (47 C.F.R. 64.2001). Sprint submits that these federal rules are more than adequate and the proposed Missouri-specific rules should not be expanded.

Except for two key aspects which are discussed below, the proposed Missouri rule would not significantly conflict with the federal requirements. Sprint keeps its customers fully informed of their rights under the federal rules regarding CPNI and Sprint is currently in compliance with, and would be supportive of, the proposed rule in Missouri - if it mirrored the federal rules. The provisions of the current federal rules are more than adequate to protect Missouri customers and Sprint is concerned with the state-specific deviations in the proposed rule that will result in added costs to carriers with no real benefit to consumers. Specifically, Sprint submits that the following two sections deviate from the federal requirements and should be modified for consistency.

Section (3)(A)(2) -- Agent/Affiliate/Joint Venture/Contractor Safeguards

Sprint recommends this section be eliminated in its entirety as well as the related definitions contained in Section (1). This section goes well beyond the federal CPNI rules which more than adequately protect consumer information. The requirements set forth in this proposed section makes it a carriers' responsibility to police the actions of other parties relative to CPNI information. The oversight/enforcement provisions of the proposed section goes beyond an appropriate level of balance and reasonableness. Sprint is concerned that these provisions will invalidate or impact certain contractual relationships with third parties and may be harmful to consumers. Sprint has found that consumers actually benefit when firms have knowledge of the goods and services that are being marketed conform to consumers' needs. In addition, the FCC has also repeatedly found that the sharing of CPNI within one integrated firm does not raise significant privacy issues. Under the FCC's "total services approach" rules established in 1998, carriers have been permitted to share customer data across affiliated interests and customers have benefited as a result. For these reasons, Sprint strongly recommends Section (3)(A)(2) be removed in its entirety.

Section (4)(C)(5) – 12-Point Font

Sprint recommends this section be eliminated in its entirety. The proposed language in section (4)(C)(5) would require carriers, in written notification to customers, to use "at least 12-point font." The federal rules merely require that such notification is legible. Sprint submits that Missouri should not dictate the font size of customer communication. To do so would result in significant, additional costs that will be incurred by Sprint, just to meet a single state's requirement. Sprint's current written communication with customers concerning CPNI is clearly legible, meets all federal rules, and should suffice. There would be no material benefit to the consumer resulting from this requirement. Furthermore, Sprint currently uses a 10-point font for its customer notification requirements and to enlarge CPNI rules may lessen the importance of other customer communications many of which may be required by federal or state rules. Sprint strongly recommends that the 12-point font language be removed.


As noted above, Sprint supports the Commission's efforts to address state rules adopting the federal CPNI regulations. Sprint notes that the current federal CPNI rules for telecommunications carriers go well beyond CPNI rules that apply to other industries such as banking, and insurance. These other industries have access to a great deal more personal information related to consumers than telephone carriers. While protecting

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consumer privacy is important, it is essential for the MoPSC to put CPNI rules into perspective and strive for a reasonable balance between an appropriate level of protection and industry cost.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



John R. Idoux