

## FCC Seeks Comment On Additional Customer Proprietary Network Information Safeguards – Comment/Reply Comment Dates Established

The Federal Communications Commission's ("FCC") order seeking comment on additional safeguards to protect customer proprietary network information ("CPNI") has been published in the Federal Register, thus triggering comment and reply comment deadlines of **July 9, 2007**, and **August 7, 2007**, respectively. Many of the issues raised in this proceeding are the same, or build upon, issues raised in response to the EPIC Petition, which the FCC responded to through its order released in April (FCC 07-22). In its FNPRM, the FCC seeks comment on the following issues, each of which has the potential to affect the manner in which your company does business or treats CPNI.

### Additional Password Protection

In the FCC's April 2007 Order, the FCC adopted password requirements for the release of call detail information. The FCC now seeks comment on whether it should extend the password protection rules to include optional or mandatory password protection for non-call detail CPNI, such as for certain account changes.

### Audit Trails

The FCC seeks comment on whether it should require audit trails, and asks carriers to assess the benefits and burdens of recording

the disclosure of CPNI and customer contact. The FCC previously has examined the use of audit trails, and has concluded that their use is of limited value. Nonetheless, the FCC seeks comment on whether audit trails would assist law enforcement with criminal investigations and on whether carrier reactions have changed since the FCC initially sought comment on this issue.

### Physical Safeguards

The FCC seeks comment on whether it should adopt rules that govern the physical transfer of CPNI among companies, such as between a carrier and its affiliates, or the transfer of CPNI to any other third party authorized to access or maintain CPNI, including a carrier's joint venture partners and independent contractors. The FCC seeks comment on what physical safeguards carriers currently use when they transfer or allow access to CPNI and whether these safeguards are sufficient.

### Limiting Data Retention

The FCC seeks comment on whether it should adopt rules to limit data retention.

### Mobile Communications Devices

The FCC seeks comment on whether it should take steps to secure the privacy of information stored in wireless devices.

**Kelley Drye is forming a coalition to respond to the FCC's FNPRM; please contact John Heitmann at (202) 342-8544 or [jheitmann@kelleydrye.com](mailto:jheitmann@kelleydrye.com), or Jennifer Kashatus at (202) 342-8480 or [jkashatus@kelleydrye.com](mailto:jkashatus@kelleydrye.com), if you are interested in joining the coalition or submitting comments in this proceeding.**