FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[CC Docket Nos. 96–115, 96–149; FCC 02–214]

Customer Proprietary Network Information

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: The Commission adopted rules to implement section 222 of the Communications Act of 1934, as amended, which governs carriers' use and disclosure of customer proprietary network information. The rules in §§ 64.2007, 64.2008, and 64.2009 required Office of Management and Budget approval and the Commission stated previously in its **Federal Register** publication that it would announce the effective date of these rules when approved. This document announces the effective date of these rules.

DATES: The revisions to 47 CFR 64.2007, addition of 47 CFR 64.2008, and revision and amendments to 47 CFR 64.2009, published at 67 FR 59205, became effective on February 24, 2003.

FOR FURTHER INFORMATION CONTACT: William Dever, (202) 418–1578, Wireline Competition Bureau.

SUPPLEMENTARY INFORMATION: The FCC published a document in the **Federal Register**, 67 FR 59205, September 20, 2002, that sets forth an effective date of October 21, 2002, except for amendments to § 64.2007, addition of § 64.2008, and amendments and revisions to § 64.2009, which contained information collection requirements that had not been approved by the Office of Management and Budget. The document stated that the Commission will publish a document in the **Federal Register** announcing the effective date of these rules. On February 24, 2003, the Office of Management and Budget (OMB) approved the information collection requirements contained in 47 CFR 64.2007, 64.2008, and 64.2009 pursuant to OMB Control No. 3060–0715. Accordingly, the information collection requirement contained in these rules became effective on February 24, 2003. The expiration date for the information collection was February 28, 2006. The expiration date was extended to May 31, 2008 in 70 FR 30112.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. E7–10722 Filed 6–7–07; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[CC Docket No. 96–115, WC Docket No. 04–36; FCC 07–22]

Customer Proprietary Network Information

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission adopted rules to implement section 222 of the Communications Act of 1934, as amended, which governs carriers' use and disclosure of customer proprietary network information. In this document, the Commission responds to the practice of ''pretexting'' by strengthening its rules to protect the privacy of customer proprietary network information (CPNI) that is collected and held by providers of communications services.

DATES: Revised paragraph (o) of § 64.2003, new paragraphs (a), (b), (d), (m), (q), and (r) of § 64.2003, revised paragraph (c)(3) of § 64.2005, revised paragraph (b) of § 64.2007, revised paragraph (e) of 64.2009, and new §§ 64.2010 and 64.2011 contain information collection requirements that have not been approved by the Office of Management and Budget (OMB). The Commission will publish a document in the **Federal Register** announcing the effective date. Written comment by the public on the modified information collection requirements are due August 7, 2007. Paragraphs (c), (e) through (l), (n), and (p) of § 64.2003 do not contain information collection requirements that have not been approved by OMB and therefore are effective on June 8, 2007.

FOR FURTHER INFORMATION CONTACT: Adam Kirschenbaum, (202) 418–7280, Wireline Competition Bureau.

For additional information concerning the Paperwork Reduction Act information collection requirements contained in this document, contact Judith B. Herman at (202) 418–0214, or via e-mail at *Judith-B.Herman@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order (Order) in CC Docket No. 96–115 and WC Docket No. 04–36, FCC 07–22, adopted March 13, 2007, and released April 2, 2007. The complete text of this document is available for inspection and copying during normal business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY–A257, Washington, DC 20554. This document may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY–B402, Washington, DC 20554, telephone (800) 378–3160 or (202) 863–2893, facsimile (202) 863–2898, or via e-mail at *http://www.bcpiweb.com.* It is also available on the Commission's Web site at *http://www.fcc.gov.*

In addition to filing comments with the Office of the Secretary, a copy of any comments on the Paperwork Reduction Act information collection requirements contained herein should be submitted to Judith B. Herman, Federal Communications Commission, Room 1–C804, 445 12th Street, SW., Washington, DC 20554, or via the Internet to *Judith-B.Herman@fcc.gov.*

Synopsis of the Report and Order

1. On August 30, 2005, the Electronic Privacy Information Center (EPIC) filed a petition with the Commission asking the Commission to investigate telecommunications carriers' current security practices and to initiate a rulemaking proceeding to consider establishing more stringent security standards for telecommunications carriers to govern the disclosure of CPNI. In particular, EPIC proposed that the Commission consider requiring the use of consumer-set passwords, creating audit trails, employing encryption, limiting data retention, and improving notice procedures. On February 14, 2006, the Commission released the *EPIC CPNI Notice,* 71 FR 13317 (March 15, 2006), in which it sought comment on (a) the nature and scope of the problem identified by EPIC, including pretexting, and (b) what additional steps, if any, the Commission should take to protect further the privacy of CPNI. Specifically, the Commission sought comment on the five EPIC proposals listed above. In addition, the Commission tentatively concluded that it should amend its rules to require carriers annually to file their section 64.2009(e) certifications with the Commission. It also sought comment on whether it should require carriers to obtain a customer's opt-in consent before the carrier shares CPNI with its joint venture partners and independent contractors; whether to impose rules relating to how carriers verify customers' identities; whether to adopt a set of security requirements that could