

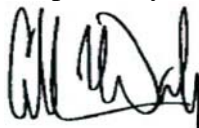
**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of a Proposed Amendment       )  
To 4 CSR 240-33.160, Customer Proprietary)       **File No. TX-2010-0160**  
Network Information                                       )

**STAFF COMMENTS**

COMES NOW the Staff of the Missouri Public Service Commission and respectfully submits the attached Comments in this rulemaking matter.

Respectfully submitted,



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Senior Counsel  
Missouri Bar No. 31624  
Attorney for the Staff of the  
Missouri Public Service Commission  
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**Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 4th day of March, 2010.



**BEFORE THE PUBLIC SERVICE COMMISSION  
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In the Matter of a Proposed Amendment     )  
To 4 CSR 240-33.160, Customer Proprietary)     File No. TX-2010-0160  
Network Information     )

**Comments of the Staff of the Missouri Public Service Commission**

The Staff of the Missouri Public Service Commission (Staff) supports this proposed rulemaking. The Commission's existing rule requires all telecommunications companies to annually submit a CPNI compliance filing by March 1<sup>st</sup>. This rulemaking proposes to alter this annual CPNI filing requirement by simply requiring companies to incorporate it into a company's annual report.

In Staff's opinion this proposal should make it easier for companies to comply as well as make it easier for Staff to enforce. Currently Staff separately notifies companies about the CPNI filing requirement as well as the annual report requirement; however such notification can now be done through one notification. The downloadable annual report form will also include a page showing the expectations for the CPNI filing requirement.<sup>1</sup> Likewise this proposal minimizes the number of annual filings made with the Commission and consequently the need to remember different filing deadlines. Combining the CPNI filing requirement into a company's annual report should also make it easier for Staff to enforce. For instance Staff can ensure compliance in one review because the present arrangement requires Staff to conduct two separate reviews (i.e., one review for ensuring annual report compliance and another review for ensuring CPNI filing compliance).

This rulemaking also proposes to address a commonly asked question about whether a company may submit a copy of the company's CPNI filing filed with the Federal Communications Commission (FCC). Specifically, the rulemaking clarifies how a company may submit a copy of its CPNI filing filed with the FCC if the company does not share CPNI with joint venture partners or independent contractors. If a company does share CPNI information with these entities then the rule provides clarification of the required additional information needed to supplement the submission of a copy of the company's FCC CPNI filing. This proposed clarification should be helpful for many companies.

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<sup>1</sup> This format was used for the 2009 annual report submission.

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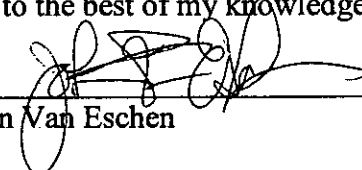
In the Matter of a Proposed Amendment     )  
To 4 CSR 240-33.160, Customer                )  
Proprietary Network Information                )

Case No. TX-2010-0160

**AFFIDAVIT OF John Van Eschen**

STATE OF MISSOURI             )  
  ) ss:  
COUNTY OF COLE             )

John Van Eschen, employee of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that he has participated in preparing these comments. Any facts therein are true and correct to the best of my knowledge and belief.

  
\_\_\_\_\_  
John Van Eschen

Subscribed and affirmed before me this 3<sup>rd</sup> day of March 2010.



SUSAN L. SUNDERMEYER  
My Commission Expires  
September 21, 2010  
Callaway County  
Commission #06942086

  
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NOTARY PUBLIC