

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office  
in Jefferson City on the 12th  
day of June, 2008.

In the Matter of a Proposed Rulemaking to	)	
Amend 4 CSR 240-33.160, Customer	)	Case No. TX-2008-0090
Proprietary Network Information.	)	

**ORDER DENYING APPLICATION FOR REHEARING**

Issue Date: June 12, 2008

Effective Date: June 12, 2008

On May 21, 2008, the Commission issued a Final Order of Rulemaking amending its rules concerning the disclosure by telecommunications companies of customer proprietary network information. On June 6, 2008, MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services and MCI Communications Services, Inc. d/b/a Verizon Business Services (collectively referred to as "Verizon") filed an Application for Rehearing.

The Application restated the arguments Verizon made in its comments on the proposed rule. Although the Commission did change language in the rule to address Verizon's concerns, Verizon asserts that those changes are insufficient. Although Verizon attaches pleadings filed with the Federal Communications Commission seeking similar changes there, it has not added any new substance to its comments. One of the goals of this rulemaking is to more closely align the Commission's rules with the FCC's; if Verizon succeeds in its efforts to have the FCC rule changed, it is likely that the Commission may follow suit *sua sponte*. If the Commission does not, Verizon may, pursuant to §536.041

RSMo 2000, petition the Commission to alter the rule to conform with changes in the FCC rule. Finally, a bill recently passed by the Missouri Legislature, but not yet signed into law, may exempt Verizon from compliance with the rule in either form.

Section 386.500.1, RSMo 2000, provides that the Commission shall grant an application for rehearing if “in its judgment sufficient reason therefore shall be made to appear.” The Commission finds that Verizon has failed to establish sufficient reason to grant its application. The Commission will deny the application.

**IT IS ORDERED THAT:**

1. Verizon’s Application for Rehearing is denied.
2. This order shall become effective on June12, 2008.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

( S E A L )

Davis, Chm., Murray, Clayton,  
Jarrett, and Gunn, C.C., concur.

Dale, Chief Regulatory Law Judge