



ELECTRONIC FRONTIER FOUNDATION

January 14, 2014

Sent via facsimile and email to [public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov)

PUC President Mike Peavey and Members of the Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

**RE: Petition 12-11-006 (Telecomm Privacy) - Support for Alternate Proposed Decision of Commissioner Sandoval**

Dear President Peavey and Members of the California Public Utility Commission:

The ACLU of California and the Electronic Frontier Foundation urge the California Public Utilities Commission to initiate a proceeding to review the privacy practices of telephone corporations, including wireless carriers, and to develop wireless privacy standards by adopting the Alternate Proposed Decision of Commissioner Sandoval, and to reject the Proposed Decision of Commissioner Ferron, in Petition 12-11-006.

It has been almost three decades since the Commission last reviewed the privacy rules. Since the mid-1980s, telecommunications technologies have advanced exponentially, business practices have changed dramatically, and consumers have started to live truly digital lives. In light of the significant technological and business changes since current laws and regulations went into effect, a new rulemaking review of privacy concerns to identify any gaps and address any lack of clarity about privacy protections is warranted. Commissioner Sandoval's Proposed Decision would initiate this rulemaking.

Identifying gaps and addressing any lack of clarity related to privacy protections is not just good for consumers, but essential for business too because privacy is of great concern to Californians. 82% of California voters across the political and demographic spectrum have expressed concern about companies collecting their personal information<sup>1</sup> and by 2011, 38% of mobile users listed privacy as their most significant concern about their device.<sup>2</sup>

It is important for the CPUC at this time to re-examine consumer privacy concerns related to telephone corporations. We urge you to vote for Commissioner Sandoval's proposed Alternate Decision and to initiate a rulemaking proceeding to review privacy practices and consider new privacy standards.

Sincerely,

Nicole A. Ozer  
Technology and Civil Liberties Policy Director  
ACLU of California

Lee Tien  
Senior Staff Attorney  
Electronic Frontier Foundation

<sup>1</sup> Press Release, USC Dornsife/Los Angeles Times, Voters Across the Political Spectrum Concerned About Tech Companies Invading Their Privacy (Mar. 31, 2012) available at <http://dornsife.usc.edu/usc-lat-poll-privacy-march-2012/>

<sup>2</sup> Kristina Knight, Mobile Consumers Most Concerned About Privacy, BIZ REPORT (Apr. 27, 2011), <http://www.bizreport.com/2011/04/survey-mobile-consumers-most-concerned-about-privacy.html>