

OFFICER'S CPNI COMPLIANCE CERTIFICATE

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2019 covering the prior calendar year 2018

Date filed: February 12, 2019

Name of company(s) covered by this certification: Ralls Technologies, LLC

Form 499 Filer ID: 828920

Name of signatory: Bob Winsel

Title of signatory: Chief Operating Officer

I, Bob Winsel certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules

The company has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission) against data brokers in the past year. Companies must report on any information that they have with respect to the processes pretexters are using to attempt to access CPNI and what steps companies are taking to protect CPNI.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

The company represents and warrants that the above certification is consistent with 47 C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may be subject it to enforcement action.

Signed



ATTACHMENT TO OFFICER'S CPNI COMPLIANCE CERTIFICATE

Statement Regarding CPNI Operating Procedures

Ralls Tech's written CPNI Operating Procedures ensure that Ralls Tech will be in compliance with 47 U.S.C. § 222 and the rules contained in the Title 47, Chapter 1, Subchapter B, Part 64, Subpart U of the Code of Federal Regulations. Included among the provisions of Ralls Tech's CPNI Operating Procedures are:

- A requirement that Ralls Tech have at all times a CPNI Compliance Supervisor to supervise the implementation of its CPNI Operating Procedures.
- Detailed procedures for safeguarding CPNI, including procedures for customer authentication and password protection of CPNI.
- Detailed procedures for determining what type of customer approval is necessary for use, disclosure of, and access to CPNI.
- A requirement that the billing system records for customers' accounts allow the status of the customer's CPNI approval to be easily ascertained.
- A requirement that personnel be trained as to when they are and are not authorized to use CPNI.
- A written disciplinary process for misuse of CPNI.
- Detailed filing, notice, and recordkeeping requirements.
- Detailed procedures to be followed in the event of a breach of CPNI.

Ralls Tech does not use, disclose, or allow access to CPNI for any purpose that would require customer approval under 47 U.S.C. § 222 or the rules contained in the Title 47, Chapter 1, Subchapter B, Part 64, Subpart U of the Code of Federal Regulations

Ralls Technologies, LLC has the following CPNI Policy in place to ensure compliance.

It is the policy of Ralls Tech to comply with the laws and regulations applicable to CPNI, and to ensure that CPNI be kept confidential, except for any use, disclosure, and access to CPNI as is permitted by 47 USC § 222 and the FCC's CPNI rules (47 CFR §§ 64.2001 – 64.2011). Accordingly, Ralls Tech has instituted these CPNI Operating Procedures.

The CPNI Compliance Supervisor identified in Section II.A below shall be responsible for the implementation of these CPNI Operating Procedures.

I. DEFINITIONS

Below are the definitions applicable to Ralls Tech's CPNI Operating Procedures.

Account information. Information that is specifically connected to the customer's service relationship with the carrier, including any component of an account number, the telephone number associated with the account, or the amount of a bill.

Address of record. A postal or electronic address that the carrier has associated with the customer's account for at least 30 days.

Breach. When a person, without authorization or exceeding authorization, has intentionally gained access to, used, or disclosed CPNI.

Call detail information. Any information that pertains to the transmission of specific telephone calls, including:

- For outbound calls, the number called, and the time, location, or duration of any call.
- For inbound calls, the number from which the call was placed, and the time, location, or duration of any call.

Communications-related services. Telecommunications services, information services typically provided by telecommunications carriers (such as Internet access or voice mail services), and services related to the provision or maintenance of customer premises equipment. This definition does not include cable television services.

CPNI. In short, CPNI is information on the types of service to which the customer subscribes, and the customer's call detail information.ⁱ The legal definition is:

- “(A) information that relates to the quantity, technical configuration, type, destination, location, and amount of use of a telecommunications service subscribed to by any customer of a telecommunications carrier, and that is made available to the carrier by the customer solely by virtue of the carrier-customer relationship; and
- (B) information contained in the bills pertaining to telephone exchange service or telephone toll service received by a customer of a carrier; except that such term does not include subscriber list information.”

Customer. A person or entity to which the telecommunications carrier is currently providing service.

Opt-in approval. Affirmative, express consent from a customer allowing CPNI usage, disclosure, or access after the customer is provided with notification of the carrier's request for the use, disclosure, or access in accordance with the FCC's rules.

Opt-out approval. Implied consent to the use, disclosure of, or access to CPNI after the customer fails to object following notification of the carrier's request for the use, disclosure of, or access to CPNI in accordance with the FCC's rules.

Readily available biographical information. Information drawn from the customer's life history, including social security number (or the last four digits of the SSN), mother's maiden name, home address, or date of birth.

Subscriber list information. Subscriber names, addresses, telephone numbers, and primary advertising classifications that the carrier has published or has accepted for publication in a directory.

Telephone number of record. The telephone number associated with the underlying service, but not the telephone number supplied as a customer's contact information.

Valid photo ID. An unexpired, government-issued means of personal identification with a photograph, such as a driver's license, passport, or comparable ID.

II. CHECKLIST OF GENERAL OPERATING PROCEDURES

A. CPNI Compliance Supervisor

Ralls Tech has at all times a CPNI Compliance Supervisor to supervise the implementation of Ralls Tech's CPNI Operating Procedures. The current CPNI Compliance Supervisor is:

Name: Bob Winsel C.O.O.
Phone Number: (573-985-3600
Email Address: bwinsel@rallstech.com

B. Safeguarding CPNI from unauthorized disclosure

Ralls Tech takes reasonable measures to discover and protect against attempts to gain unauthorized access to CPNI.

CSRs properly authenticate a customer's identity using the procedures below before disclosing CPNI during customer-initiated telephone calls, online account access, or an in-store visit.

1. Customer-initiated telephone calls – identity authentication procedures

| Customer wants call detail information | Customer wants non-call detail information (example: minutes of use) |
|---|--|
| <ul style="list-style-type: none">• Customer must provide password not prompted by carrier asking for readily-available biographical information or account information; or• CSR may send requested information to address of record; or• CSR may call customer at telephone number of record to discuss information; or• If customer can provide call detail information without CSR assistance, CSR may discuss that specific call detail information. | <ul style="list-style-type: none">• CSR must authenticate customer, and may use readily available biographical information or account information. |

2. Online Access – identity authentication procedures

Ralls Tech authenticates the identity of a customer without the use of **readily available biographical information** or **account information** before allowing online access to CPNI.

Ralls Tech requests that the customer establish a password at the time the customer establishes his or her account.

Ralls Tech requests that the customer establish a “shared secret” at the time the customer establishes his or her account.

Once a customer is authenticated, Ralls Tech allows the customer online access to CPNI only through a password that is not prompted by asking for **readily available biographical information** or **account information**.

3. In-person Access to CPNI – identity authentication procedures.

Personnel may disclose CPNI to a customer at a retail location only if the customer presents a valid photo ID.

4. Business customers.

Ralls Tech may provide different authentication procedures for business customers if:

Ralls Tech provides a dedicated account representative for the customer; and

The contract with the customer specifically addresses Ralls Tech’s protection of CPNI.

5. Lost or forgotten passwords

For a customer who has lost or forgotten his or her password, Ralls Tech authenticates the customer’s identity before providing the password without using **readily available biographical information** or **account information**. Instead, Ralls Tech uses at least one of the following methods to authenticate the customer:

“Shared secret” authentication.

Call the customer at the **telephone number of record**.

Forward a PIN to the customer via voicemail or text message to the **telephone number of record**, or by mailing it to the **address of record**.

Review **valid photo ID** presented at Ralls Tech’s retail location.

C. Use of CPNI by Ralls Tech: When is customer approval needed?

There are a number of reasons that Ralls Tech would use a customer's CPNI: (i) to provide the customer's VoIP services, (ii) to bill and collect for the VoIP services, and (iii) to target-market additional services. The FCC's regulations allow Ralls Tech to use CPNI without customer approval for some of these activities. For others, the FCC requires either "**opt-out approval**" or "**opt-in approval**." The chart below provides a quick reference for when customer approval is and is not required.

Because Ralls Tech has not instituted procedures to obtain opt-out or opt-in approval for use of CPNI, Ralls Tech shall contact counsel before conducting any activities that would require customer approval.

| <u>No customer approval required</u> | <u>Opt-out approval required</u> | <u>Opt-in approval required</u> |
|---|---|--|
| Initiating, rendering, billing and collecting for the customer's Ralls Tech voice services. | Marketing communications-related services , such as Internet access services. | All other uses of CPNI, including marketing Ralls Tech video services. |
| Marketing service offerings among the categories of service (the FCC lists "local, interexchange and CMRS" as examples of categories of service) to which the customer already subscribes. | Disclosure of and access to CPNI by agents and any affiliates that provide communications-related services so that they can market those services. | |
| If the customer subscribes to more than one category of Ralls Tech service (i.e., local and interexchange), Ralls Tech may share CPNI with an affiliated entity if the affiliated entity provides a service offering to the customer. | | |
| Providing inside wiring installation, maintenance, and repair services. | | |
| Marketing adjunct-to-basic services such as speed dialing, computer-provided directory assistance, call monitoring, call tracing, call blocking, call tracking, call waiting, caller ID, call forwarding, etc. | | |
| Protecting Ralls Tech's rights or property, or protecting users of Ralls Tech's voice services and other carriers from fraudulent, abusive, or unlawful use of or subscription to, the services. | | |

D. Uses of CPNI that do not require customer approval.

Under federal law and the FCC's CPNI regulations, there are certain purposes for which a carrier does not need customer approval to use CPNI. The rationale for these exclusions from the general rule is that these purposes are within the established carrier-customer relationship, and the customer has therefore given implied consent for the use or disclosure of CPNI for these purposes. Ralls Tech can use CPNI without customer approval for all of the following purposes:

- Initiating, rendering, billing, and collecting for Ralls Tech voice services.
- Marketing Ralls Tech service offerings among the categories of service to which the customer already subscribes.
- Providing inside wiring installation, maintenance, and repair services.
- Marketing adjunct-to-basic services such as speed dialing, computer-provided directory assistance, call monitoring, call tracing, call blocking, call return, repeat dialing, call tracking, call waiting, caller ID, and call forwarding.
- Protecting Ralls Tech's rights or property, or protecting users of the Ralls Tech voice services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, the services.

All other uses of CPNI require notice and **opt-out approval** or **opt-in approval**.

E. Training and disciplinary procedures

Ralls Tech provides CPNI training to its personnel to ensure compliance with the FCC's CPNI regulations:

Ralls Tech trains its personnel as to when they are and are not authorized to use CPNI.

Ralls Tech has implemented an express disciplinary process for misuse of CPNI (disciplinary policy is attached as Appendix 1).

2. Notice requirements

Customer notifications

Except upon initiation of service, Ralls Tech immediately notifies a customer whenever the following are created or changed:

- a) A password
- b) Customer response to a back-up means of authentication for lost or forgotten passwords
- c) Online account
- d) Address of record

The notification is made through a carrier-originated voicemail or text message to the **telephone number of record**, or by mail to the **address of record**. The notification shall not be sent to the new **account information**.

The notification does not reveal the changed information.

Ralls Tech provides a CPNI notification at the initiation of service and on its website.

Notifications to federal agencies

The CPNI Compliance Supervisor shall provide written notice to the FCC within 5 business days of any instance where the opt-out mechanisms do not work properly if the problem is more than an anomaly. The notice shall be in the form of a letter and shall include:

- Ralls Tech's name and d/b/a;
- A description of the opt-out mechanism used;
- A description of the problem;
- The proposed remedy and when it will be implemented;
- Whether the appropriate state PUC has been notified and whether it has taken any action;
- A copy of the notice provided to customers; and
- Contact information for the CPNI Compliance Supervisor.

In the event of a **breach** of a customer's CPNI, the CPNI Compliance Supervisor shall provide notice to the Secret Service and FBI as detailed in Section III below.

3. Recordkeeping

The CPNI Compliance Supervisor maintains the following records related to marketing campaigns for at least one year.

A record of all instances where CPNI was disclosed or provided to third parties, or where third parties were allowed access to CPNI. The record shall include:

- A description of each campaign;
- The specific CPNI used in each campaign; and
- The products or services offered as part of the campaign.

Records of the CPNI Compliance Supervisor's approval of any proposed outbound marketing campaigns.

Records of customer notifications and customer approvals (whether oral, written, or electronic).

Ralls Tech maintains for two years a record of any (i) **breaches** discovered, (ii) notifications made to the Secret Service and FBI pursuant to Section IV of these CPNI Operating Procedures, and (iii) notifications made to customers. The record may be electronic and must include, if available:

- The dates of discovery and notification;
- A detailed description of the CPNI that was the subject of the **breach**; and
- The circumstances of the **breach**.

III. SECURITY BREACHES

Ralls Tech shall notify the Secret Service and FBI of a **breach** of its customers' CPNI as provided below.

Ralls Tech shall not notify its customers of a **breach** or disclose the **breach** publicly, whether voluntarily, under state or local law, or under the FCC's regulations, until it has completed the process of notifying the Secret Service and FBI as provided below.

As soon as practicable, and in all cases within 7 business days after discovering the **breach**, Ralls Tech shall electronically notify the Secret Service and the FBI through a central reporting facility at <http://www.fcc.gov/eb/cpni>.

Ralls Tech shall wait 7 full business days after it notifies the Secret Service and FBI of a **breach** before notifying customers or disclosing the **breach** to the public. After that time, Ralls Tech shall notify its customers of a **breach** of their CPNI (and may disclose the **breach** to the public) unless:

The relevant agency directs Ralls Tech not to disclose or notify its customers of the breach. In that case, Ralls Tech shall not do so until it is notified in writing by the agency that it may notify its customers or disclose the **breach** publicly.

If Ralls Tech believes there is an extraordinarily urgent need to notify any class of customers sooner to avoid immediate and irreparable harm, Ralls Tech shall so indicate in its notification to the Secret Service and FBI, and may notify its customers only after consultation with the relevant agency. Ralls Tech shall cooperate with the relevant agency's request to minimize any adverse effects of customer notification.

APPENDIX 1

DISCIPLINARY POLICY

Ralls Tech takes seriously its obligations to protect confidential customer information, including customer proprietary network information ("CPNI"). A violation of Ralls Tech CPNI Operating Procedures will result in appropriate disciplinary action, and may involve discipline up to and including immediate dismissal.