

# Estech Systems, Inc.

## CPNI Compliance Policy

47 C.F.R. §64.2009(e)

EB Docket No. 06-36

In accordance with Section 222 of the Communications Act and the Federal Communications Commission's ("FCC") CPNI Rules (47 C.F.R. § 64.2001, et seq.), Estech Systems, Inc. ("ESI") files this Statement of Policy outlining the Company's procedures for accessing, using and storing Customer Proprietary Network Information ("CPNI").

ESI provides interconnected VoIP services to retail customers. Because ESI may access, use, or store CPNI when providing these types of services, the Company undertakes the steps outlined in this Statement of Policy to protect CPNI from unauthorized access or misuse.

### **Definition of CPNI**

Under federal law, CPNI is certain customer information obtained by a telecommunications provider during the course of providing telecommunications services (including interconnected VoIP) to a customer. This includes information relating 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.

Examples of CPNI include information typically available from telephone-related details on a monthly bill such as the types of services purchased by a customer, numbers called, duration of calls, directory assistance charges, and calling patterns. CPNI does not include names, addresses, and telephone numbers, because that information is considered subscriber list information under applicable law

### **Use of CPNI**

In order for ESI to share CPNI with our business partners such as our Resellers, ESI must disclose its regular business practices to our customers and give them the opportunity to choose to allow ESI to share CPNI with those business partners. If a customer chooses to allow us to make this information available, ESI can work with those resellers to enhance the customer's communications capabilities and tailor a specific program of telecommunications equipment and services to most closely meet each customer's needs.

ESI obtains the customer's written authorization for such purposes. For an authorization to be in compliance with federal law it must meet the following requirements:

1. The Company must notify the customer of its right to restrict the use of, disclosure of and access to, the customer's CPNI prior to soliciting the customer's approval.

2. The notice must provide sufficient information for the customer to make an informed decision whether to give its approval which should, at a minimum, include the following:
  - a. A statement that the customer has a right and the Company has a duty, under federal law, to protect the confidentiality of CPNI.
  - b. Specifically describe the types of information that are considered CPNI and the entities that will receive the CPNI, the purposes for which the CPNI will be used, and inform the customer of the right to withhold approval or deny or withdraw access to its CPNI at any time.
  - c. A description of the precise steps the customer must take to grant or deny access to its CPNI and clearly state that denial will not affect the provision of services to which the customer subscribes. However, the Company may provide a clear, brief statement in neutral language describing possible consequences directly resulting from the lack of access to the customer's CPNI.
  - d. Comprehensible and not misleading language.
  - e. A statement that the approval or denial for the use of CPNI outside of the services to which the customer already subscribes from the Company is valid until the customer affirmatively revokes or limits such approval or denial.

A customer always retains the option to change its mind regarding the sharing of CPNI and can send a written notice of that decision at any time. There are certain other restrictions regarding the use of CPNI that do not apply to a VoIP services provider such as ESI which is selling its services to business customers rather than consumers. The Company may always provide access to or discuss CPNI with any person designated by the customer upon receipt of a written request from an authorized representative of the customer asking that we do so. The Company is required to give its customers an annual disclosure of our CPNI privacy policy.

In order to maintain compliance with the legal requirements regarding the use or disclosure of or access to CPNI, ESI has adopted certain procedures that must be followed before CPNI may be released to ensure that no CPNI is released to someone who is not authorized to receive it. Every employee who might ever have access to CPNI must read the Company policy for verification of identity steps that must be taken before releasing or discussing CPNI. At a minimum these would include employees involved in Technical Support, Accounting and Billing/Accounts Receivable administration, Network Operations, Provisioning, and Sales and Marketing. A copy of that policy is available on the information page of Webby, ESI's intranet

### **Third Party Use of CPNI**

To safeguard CPNI, prior to allowing joint venturers or independent contractors access to customers' individually identifiable CPNI, ESI will require all such third parties to enter into a confidentiality agreement that ensures compliance with this Statement of Policy. ESI shall also obtain opt-in consent from a customer prior to disclosing the information to

such third parties for marketing purposes. In addition, ESI requires all outside agents to acknowledge and certify that they may only use CPNI for the purpose for which that information has been provided.

ESI requires express written authorization from the customer prior to dispensing CPNI to new carriers, except as otherwise required by law.

ESI does not market or sell CPNI information to any third party.

## **FCC Notification**

The Company is prepared to provide written notice within five (5) business days to the FCC of any instance where the opt-in mechanisms do not work properly or to such a degree that consumers' inability to opt-in is more than an anomaly.

## **Law Enforcement Notification of Unauthorized Disclosure**

The Company may always disclose CPNI upon the appropriate request of a government agency, law enforcement agency, court or as otherwise required by law pursuant to a subpoena or other legal process without written authorization from the customer.

In the event of an authorized disclosure of CPNI due to a breach, the Company must file a report with law enforcement no later than seven (7) days after we have determined that a breach occurred. Affected customers or the public may not be informed earlier than seven (7) days after we have filed our electronic notification with law enforcement. If, for some reason the Company believes it must notify our customers immediately to avoid "immediate and irreparable harm" the Company must contact law enforcement before doing so and follow the directions given by law enforcement. There are strict record-keeping requirements for any notifications made under this section and those include the following:

1. The date the Company discovered the breach.
2. The date the Company notified law enforcement.
3. A detailed description of the CPNI breached.
4. The circumstances of the breach.

## **Customer Complaints**

ESI has not received any customer complaints in the past year concerning the unauthorized release of or access to CPNI.

The Company will also track information about pretexted attempts to gain unauthorized access to or disclose of CPNI and any other attempted breaches all of which must be reported to the FCC on an annual basis.

Any employee who is found to have intentionally violated any provision of this policy shall be subject to disciplinary action up to and including termination. As failure to comply could

have extremely serious ramifications for the Company, such violation would be considered a major infraction.

**Estech Systems, Inc.**

**Annual CPNI Certification  
47 C.F.R. § 64.2009(e)  
EB Docket No. 06-36**

COMPANY NAME: Estech Systems, Inc.

REPORTING PERIOD: January 1, 2017 - December 31, 2017

FILER ID: 830317

OFFICER: George Platt

TITLE: President / CEO

I, George Platt, hereby certify that I am an officer of Estech Systems, Inc. ("ESI") and that I am authorized to make this certification on behalf of ESI. I have personal knowledge that ESI has established operating procedures that are adequate to ensure compliance with the Federal Communications Commission's rules governing Customer Proprietary Network Information ("CPNI"), to the extent that such rules apply to ESI or to any of the information obtained by ESI. See 47 C.F.R. § 64.2001 et seq.

Attached to this certification is an accompanying statement explaining the procedures ESI employs to ensure that it complies with the requirements set forth in 47 C.F.R. § 64.2001 et seq. of the Commission's rules, to the extent that such requirements apply to ESI or to the information obtained by ESI.

Signed:  \_\_\_\_\_

On behalf of Estech Systems, Inc.

Date: February 12, 2018