

February 19, 2018

Marlene H. Dortch, Secretary  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

RE: EB Docket No. 06-36  
Annual CPNI Certification

Dear Ms. Dortch:

On behalf of our client, Waverly Communications Utility, 499 Filer ID 831790, attached is the annual CPNI certification filing covering the year of 2017, pursuant to 47 C.F.R § 64.2009(e).

Sincerely,



Judy Christiansen  
Consultant

cc: Waverly Communications Utility

Attachment

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

### EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2018 covering the prior calendar year 2017

1. Date filed: February 19, 2018
2. Name of company(s) covered by this certification: Waverly Communications Utility
3. Form 499 Filer ID: 831790
4. Name of signatory: Curt Atkins
5. Title of signatory: Director, Business Operations
6. Certification:

I, Curt Atkins, 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 (including those mandating the adoption of CPNI procedures, training, safeguards, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken actions (*i.e.*, proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.

The company has not received 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 subject it to enforcement action.

Signed 

**Attachments:** Accompanying Statement explaining CPNI procedures

**Waverly Communications Utility**  
**FCC 499 Filer ID # 831790**  
**Operating Procedures for Compliance with CPNI Rules**

**Section 2.1 – Purpose**

Waverly Utilities (the “Utility”) has implemented the following procedures to ensure it is compliant with Part 64 of Title 47 of the Code of Federal Regulations, Subpart U – Customer Proprietary Network Information (CPNI), § 64.2001 through § 64.2011.

**Section 2.2 - Compliance Officer**

The Utility has appointed a CPNI Compliance Officer. The Compliance Officer is responsible for ensuring the Utility is in compliance with all of the CPNI rules. The Compliance Officer is also the point of contact for anyone (internally or externally) with questions about CPNI.

**Section 2.3 - Employee Training**

- The Compliance Officer arranges for the training of all employees on a regular basis, and more frequently as needed. Any new employee is trained when hired by the Utility. The training includes, but is not limited to, when employees are and are not authorized to use CPNI, and the authentication methods the Utility is using.
- After the training, all employees are required to sign an affidavit that they have received training on the CPNI rules, they understand the Utility’s procedures for protecting CPNI and they understand the Utility’s disciplinary process for improper use of CPNI.
- Employees are instructed that if they ever have any questions regarding the use of CPNI, if they are aware of CPNI being used improperly by anyone, or if they encounter someone other than the authorized person on an account trying to access CPNI, they should contact the Compliance Officer immediately. The Compliance Officer will then determine what actions need to be taken.

**Section 2.4 - Disciplinary Process**

The Utility has established a specific disciplinary process for improper use of CPNI. The disciplinary action is based on the type and severity of the violation and could include any or a combination of the following: retraining the employee on CPNI rules, notation in the employee’s personnel file, formal written reprimand, suspension or termination. The disciplinary process will be reviewed with all employees.



## **Section 2.5 - Customer Notification and Request for Approval to Use CPNI**

- The Utility has not provided notification to its customers and has not asked for approval to use CPNI because it only uses CPNI in those instances where it is permissible to use CPNI without customer approval. It does not share the customer's CPNI with any joint venture partner, independent contractor or any other third party.
- If the Utility receives a call from a customer who wants to discuss services outside of the customer's existing service offerings, the customer service representative uses the oral notification (Section 2.7 [2]) for one-time use of CPNI to obtain approval for the duration of the call only.
- If, in the future, the Utility decides to ask customers for approval to use their CPNI, it will implement a system by which the status of a customer's CPNI approval can be clearly established prior to the use of CPNI.

## **Section 2.6 - Marketing Campaigns**

If, in the future, the Utility decides to have a marketing campaign which uses CPNI, it will establish a supervisory review process and a process for maintaining a record of the campaign before any campaign is conducted.

## **Section 2.7 – Authentication**

The Utility does not disclose any CPNI until the customer has been appropriately authenticated as follows:

### **2.7 [1] - In-office visit**

The customer must provide a valid photo ID matching the customer's account information.

### **2.7 [2] - Customer-initiated call**

The customer is authenticated by providing an answer to a pre-established question and must be listed as a contact on the account.

If the customer wants to discuss call detail information which requires a password, the following guidelines are followed:

- If the customer can provide all of the call detail information (telephone number called, date of the call, the amount of the call, etc.) necessary to address the customer's issue, the Utility will continue with its routine customer care procedures.
- If the customer cannot provide all of the call detail information to address the customer's issue, the Utility will: (1) call the customer back at the telephone number of record, (2) send the information to the address of record, or (3) ask the customer to come into the office and provide a valid photo ID.

### **Section 2.8 - Notification of Account Changes**

The Utility promptly notifies customers whenever a change is made to the following:

- Password Changes
- Change of Address which is different for the Utility's records
- Telephone number on record
- Adding Secondary Contact person

The notification to the customer will be made by Utility-originated letter and sent to the address which has been associated with the account for at least 30 days. It will not be sent to the new address.

### **Section 2.9 - Notification of Breaches**

Employees will immediately notify the Compliance Officer of any indication of a breach. If it is determined a breach has occurred, the Compliance Officer will follow the appropriate procedures and notify the USS and FBI via the FCC link at <http://www.fcc.gov/eb/cpni>.

### **Section 2.10 - Annual Certification**

The Compliance Officer will file a Compliance Certification with the FCC by March 1 of each year for data pertaining to the previous calendar year.

### **Section 2.11 - Record Retention**

The Utility retains all information regarding CPNI. The following is the minimum retention period the Utility has established:

- Breaches – Two years
- Annual Certification – Seven years
- Employee Training Certification – Two Years
- All Other Information – Two Years