

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

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2017.

Date certified: February 20, 2019

Name of company covered by this certification: InTouch America, Inc.

Form 499 Filer ID: 821568

Name of signatory: Jasmin Maadi

Title of signatory: Vice President

I, Jasmin Maadi, 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) 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.
If affirmative: Not applicable

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI (number of customer complaints a company has received related to unauthorized access to CPNI, or unauthorized disclosure of CPNI, broken down by category or complaint, *e.g.*, instances of improper access by employees, instances of improper disclosure to individuals not authorized to receive the information, or instances of improper access to online information by individuals not authorized to view the information).
If affirmative: Not applicable

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



INTOUCH AMERICA, INC.
STATEMENT OF CPNI COMPLIANCE PROCEDURES

InTouch America, Inc. and its subsidiaries ("InTouch") maintain CPNI in the following databases and record systems: billing system and paper vision scanning system. Each of these systems is protected against unauthorized access by log-in and password procedures. All paper records are shredded prior to disposal.

InTouch has established operating procedures whereby personnel who are authorized to access CPNI are trained in the authorized uses of this information. All InTouch employees are required to maintain the confidentiality of all information, including customer information that is obtained as a result of their employment by InTouch. Pursuant to these procedures, any employee who violates the authorized procedures for access to this information is subject to discipline, up to and including termination of employment.

InTouch has established operating procedures to use an opt-out method of customer consent for the use of CPNI in marketing activities in the event that CPNI is ever used for marketing activities. These procedures include a requirement that the company's database of opt-out approvals be checked before accessing and using the customer's CPNI for marketing in all instances where customer approval is required. Since InTouch does not engage in any marketing activities where customer approval would be required, InTouch does not maintain a database of opt-out approvals at this time.

InTouch does not share CPNI with any joint venture partner or independent contractor. If InTouch were to share CPNI with any joint venture partner or independent contractor, InTouch would first establish an opt-in approval procedure.

InTouch has established operating procedures to maintain a record of all sales and marketing campaigns that use CPNI. Pursuant to these procedures, the records must be maintained by the Vice President and must be maintained for at least one year. At this time, InTouch does not engage in any sales and marketing campaigns that use CPNI.

InTouch has established operating procedures for supervisory review of all outbound marketing activities to ensure compliance with the FCC's rules governing CPNI. Pursuant to these procedures, approval of the Vice President is required prior to any use of CPNI for marketing activities.

In accordance with the CPNI rules, upon obtaining a customer's oral authorization, customer service representatives of InTouch may access a customer's CPNI during the course of an inbound or outbound telephone conversation, solely for the duration of that conversation. Each such InTouch representative must provide the disclosures required by 64.2008(c) of the CPNI rules including informing customers of their right to deny access to the CPNI before requesting this one-time consent.

InTouch may, as permitted by the CPNI rules, use CPNI without customer approval (1) to bill and collect for services rendered; (2) to protect the rights or property of InTouch, other users or other carriers from unlawful use; (3) to provide customer premises equipment and protocol conversion; (4) to provision inside wiring, maintenance and repair services; and (5) to market services formerly known as adjunct-to-basic services, such as, but not limited to, speed dialing, computer-provided directory assistance, call monitoring, call tracing, call blocking, call return, repeat dialing, call tracking, call waiting, caller I.D., call forwarding, and certain Centrex features.

InTouch has established procedures to require a password prior to disclosing call detail information or other CPNI to a customer during a customer-initiated call. InTouch does not provide online account access. InTouch will also provide call detail information to a customer by mailing such information to the address of record or calling the telephone number of record upon customer request if the customer is unable to present a proper password. Lastly, InTouch will provide call detail information to a customer at a retail location upon presentation of a valid photo ID that matches the name on the account.

InTouch has procedures for customer establishment of a password without the use of readily available biographical information or account information. InTouch also has procedures for notifying the customer whenever a password, customer response to a back-up means of notification, or address of record is created or changed.

InTouch has established procedures for notifying the United States Secret Service and the Federal Bureau of Investigation in the event of a breach of CPNI protection within seven days of reasonably determining that there has been a breach. Customer notification shall be delayed for a minimum of seven full business days after notification to the USSS and the FBI. InTouch has established procedures for maintaining records of such breaches for a minimum of two years.

In the event InTouch uses opt-out approval procedures, InTouch has in place procedures to ensure that it will provide written notice to the FCC within five business days of any instance where its opt-out mechanisms do not work properly to such a degree that its customers' inability to opt-out is more than an anomaly. These procedures ensure that the notice will be in the form of a letter, and will include: (i) InTouch's name; (ii) a description of the opt-out mechanism(s) used; (iii) the problem(s) experienced; (iv) the remedy proposed and when it will be or was implemented; (v) whether the relevant state commission(s) has been notified; (vi) whether InTouch has taken any action; (vii) a copy of the notice provided to customers; and (viii) contact information. InTouch will submit the above letter even if it offers other methods by which its customers may opt-out.