



## COMSAT, Inc.

### 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

1. Date filed: 25 February 2019
2. Name of companies covered by this certification: COMSAT, Inc.
3. Form 499 Filer IDs: **821860**
4. Name of signatory: Martha McIntosh
5. Title of signatory: General Counsel
6. Certification:

I, Martha McIntosh, 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, 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 \_\_\_\_\_

On behalf of COMSAT, Inc.  
Martha McIntosh, General Counsel

**Attachment:** COMSAT Statement of Policy Regarding CPNI



## **STATEMENT OF POLICY REGARDING CUSTOMER PROPRIETARY NETWORK INFORMATION**

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

COMSAT provides telecommunications services primarily to business customers. Because COMSAT 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**

It is the policy of COMSAT not to use CPNI for any activity other than as permitted by applicable law. Any disclosure of CPNI to other parties (such as affiliates, vendors and agents) occurs only if it is necessary to conduct a legitimate business activity related to the services already provided by COMSAT to the customer. If COMSAT is not required by law to disclose CPNI or if the intended use is not otherwise permitted under FCC Rules, the Company will first obtain the customer's consent prior to using or sharing CPNI.

### **Disclosure of CPNI**

COMSAT prohibits the release of CPNI based upon a customer-initiated telephone call except under the following five (5) circumstances.

- When the customer is able to provide all of the call detail information necessary to address a customer service issue;
- When the customer has provided COMSAT a pre-established password;

- When the information requested by the customer is to be sent to the customer's address of record; or
- When COMSAT calls the customer's telephone number of record and discusses the information with the party initially identified by customer when service was initiated.
- When the customer is a business customer with a service contract that specifically addresses COMSAT's protection of CPNI.

## **Online Access to CPNI**

If COMSAT grants online access to CPNI, the Company authenticates a customer without the use of readily available biographical or account information prior to allowing the customer online access to CPNI stored online. Once authenticated, the customer may only obtain online access to CPNI through a password that is not prompted by the carrier asking for readily available biographical or account information.

## **Password Authentication Procedures**

To establish a password, COMSAT authenticates the identity of the customer without the use of readily available biographical or account information. The Company may create a back-up customer identification method in the event a customer misplaces or forgets a password, but such alternative customer authentication will not depend on readily available biographical or account information. If a customer cannot provide the correct password or the correct response for the back-up customer authentication method, the customer must establish a new password.

## **Account Change Notification**

COMSAT notifies customers immediately of any account changes, including address of record, authentication, online account and password related changes.

## **Employee Training Policies and Disciplinary Procedures**

All employees of COMSAT are trained as to when they are, and are not, authorized to use CPNI. Through this training, COMSAT has informed its employees and agents that it considers compliance with the Communications Act and FCC Rules regarding the use, disclosure, and access to CPNI to be very important.

Violation by company employees or agents of such CPNI requirements will lead to disciplinary action (including remedial training, reprimands, unfavorable performance reviews, probation, and termination), depending upon the circumstances of the violation (including the severity of the violation, whether the violation was a first time or repeat violation, whether appropriate guidance was sought or received from a supervisor, and the extent to which the violation was or was not deliberate or malicious).

## **Use of CPNI in Sales and Marketing Campaigns**

If COMSAT uses CPNI in marketing campaigns, the company will maintain a record of all sales and marketing campaigns that use the CPNI. The record will include a description of each campaign, the specific CPNI that was used in the campaign, and what products and services were offered as part of the campaign.

COMSAT will also implement a system to obtain prior approval and informed consent from its customers in accordance with the CPNI Rules. This system will allow for the status of a customer's CPNI approval to be clearly established prior to the use of CPNI.

Prior to commencement of a sales or marketing campaign that utilizes CPNI, COMSAT will establish the status of a customer's CPNI approval. The following sets forth the procedure that will be followed by the Company:

- Prior to any solicitation for customer approval, COMSAT will notify customers of their right to restrict the use of, disclosure of, and access to their CPNI.
- COMSAT will use opt-in approval for any instance in which Company must obtain customer approval prior to using, disclosing or permitting access to CPNI.
- A customer's approval or disapproval remains in effect until the customer revokes or limits such approval or disapproval.
- Records of approvals are maintained for at least one year.
- COMSAT provides individual notice to customers when soliciting approval to use, disclose or permit access to CPNI.
- The CPNI notices sent by COMSAT comply with FCC Rule 64.2008(c).

COMSAT will also establish a supervisory review process regarding compliance with the CPNI rules for outbound marketing situations and will maintain compliance records for at least one (1) year.

## **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.

## **Third Party Use of CPNI**

To safeguard CPNI, prior to allowing joint ventures or independent contractors access to customers' individually identifiable CPNI, COMSAT will require all such third parties to enter into a confidentiality agreement that ensures compliance with this Statement of Policy and COMSAT shall also obtain opt-in consent from a customer prior to disclosing the information to such third parties. In addition, COMSAT requires all outside agents to acknowledge and certify that they may only use CPNI for the purpose for which that information has been provided.



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

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

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

If an unauthorized disclosure of CPNI occurs, COMSAT shall provide notification of the breach within seven (7) days to the United States Secret Service ("USSS") and the Federal Bureau of Investigation ("FBI").

COMSAT shall wait an additional seven (7) days from its government notice prior to notifying the affected customers of the breach.

Notwithstanding the above, COMSAT shall not wait the additional seven (7) days to notify its customers if the Company determines there is an immediate risk of irreparable harm to the customers.

COMSAT shall maintain records of discovered breaches for a period of at least two (2) years.