

Annual 47 CFR § 64.2009(e) CPNI Certification

EB Docket 06-36

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

1. Date filed: March 3, 2018
2. Name of company(s) covered by this certification: Evolve Cellular Inc.
3. Form 499 Filer ID: 827150
4. Name of signatory: Richard Lewis
5. Title of signatory: CFO
6. Certification:

I, Richard Lewis, 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 CFR § 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 CFR § 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 Richard M. Lewis

Attachments: Attachment A – Accompanying Statement Explaining CPNI Procedures

ATTACHMENT A
ACCOMPANYING STATEMENT EXPLAINING CPNI PROCEDURES EB DOCKET NO. 06-36

Evolve Cellular Inc. d/b/a Evolve Broadband (“Evolve”) has established operating procedures that ensure compliance with the Federal Communications Commission (FCC) regulations concerning the protection of customer proprietary network information (CPNI).

- Evolve is a small company with a very limited number of employees having access to CPNI. Training of new Evolve employees is conducted by Evolve when a new employee having access to CPNI is first hired. All trained employees have been notified of the FCC’s regulations regarding CPNI and disciplinary procedures have been established should any employee violate CPNI regulations. All employees of Evolve are required as a general matter to maintain the confidentiality of all information they obtain in connection with their employment, including customer-related information.
- Consistent with the Commission’s rules, Evolve uses, discloses, and permits access to CPNI without customer approval for the purposes of: (1) billing and collecting for services rendered; (2) protecting the rights and property of Evolve, other users, and other carriers from unlawful use; and (3) providing maintenance and repair services.
- Evolve has not to-date, and has no pending plans to, run any marketing campaigns utilizing its existing customers. If Evolve were to run such campaigns in the future, the Company would (i) provide customers with the option to opt out of such marketing campaigns, (ii) insure that proper steps are taken to remove the CPNI customers that have opted out, (iii) maintain records of all such marketing campaigns, (iv) make sure that the Company’s legal department and appropriate management approve all marketing materials in accordance with CPNI regulations, and (v) maintain records relating to such marketing campaigns that use CPNI for at least one year.
- To-date, Evolve has not used, disclosed, or permitted access to CPNI to make customers aware of any service offerings other than potentially those within the same category of service to which the customer already subscribes. Further, Evolve does not at this time share, sell, lease, or otherwise provide any CPNI with or to any unaffiliated third parties for marketing purposes, and it will not do so in the future absent affirmative consent from the affected customer(s).
- Should Evolve decide in the future to run marketing campaigns, the Company will provide all customers with documentation explaining the FCC requirements, CPNI regulations and the opportunity to be excluded from receiving targeted marketing materials about products outside our existing business relationship with them. Evolve does currently require each customer to create a CPNI password for his/her account when they first sign up for service.
- All Evolve customers must provide a CPNI password in order to receive detailed information about their account. If they are not able to provide the password, we will call them back at a phone number of record on their account.
- Evolve has taken reasonable measures to discover and protect against attempts to gain unauthorized access to CPNI. Only certain employees within the Company are authorized to discuss or provide CPNI to a customer in the context of providing services to that customer (e.g., to take an order, resolve a billing question, or resolve a service trouble report). In turn, those employees that are authorized to discuss CPNI with or provide CPNI to a customer are required to engage in proper authentication of inbound requests for communication of CPNI. With respect to customer requests regarding call detail information, all employees have been instructed to refer such requests to a specific employees within Evolve that have been trained not to provide such information to inbound callers over the phone, and instead transmits such information in a manner consistent with the Commission’s rules (i.e., by either sending information to the account’s mailing address or email address of record or calling the customer back at the telephone number of record). For all other inbound customer requests regarding (non-call detail) CPNI, Evolve requires reasonable authentication in each case by reference to specific detailed information about the account or the particular services at issue.

In addition, with respect to any online access that customers may have to CPNI, Evolve employs password protection measures (and backup/reset processes) that do not rely upon readily available biographical information or account information.

- In the event of a CPNI breach, management is to notified immediately and will file the breach appropriately within the time frames as required by the Commission's rules.
- **Actions Taken Against Data Brokers and Responses to Customer Complaints** - Pursuant to Section 64.2009, the Company makes the following explanation of any actions taken against data brokers and a summary of all customer complaints received in the past year concerning the unauthorized release of CPNI:
 - Company has not taken any action against data brokers this past year with regards to CPNI.
 - Company has not received any customer complaints this past year with regard to CPNI.