

CPNI 2018 ANNUAL CERTIFICATION OF
FRANCE TELECOM LONG DISTANCE USA, LLC d/b/a ORANGE CARRIERS USA
Filer ID 822710
EB Docket 06-36

In accordance with Section 64.2009(e) of the Commission's Rules, 47 C.F.R. § 64.2009(e), I, Danielle Aguto, Authorized Representative of France Telecom Long Distance USA, LLC d/b/a Orange Carriers USA ("FTLD" or the "Company"), certify that I have personal knowledge that the Company has established operating procedures that are adequate to ensure compliance with the Commission's Customer Proprietary Network Information ("CPNI") regulations, 47 C.F.R. § 64.2001 *et. seq.*, for the period covering January 1, 2017 through December 31, 2017.

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 any actions against data brokers in the past year.

The Company has not received any customer complaints in the past year concerning the unauthorized disclosure 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.



Danielle Aguto, Authorized Representative

Dated: March 31, 2018

COMPLIANCE STATEMENT

FRANCE TELECOM LONG DISTANCE USA, LLC d/b/a ORANGE CARRIERS USA

1. France Telecom Long Distance USA, LLC d/b/a Orange Carriers USA (“FTLD”) provides telecommunications and information services to wholesale carrier customers and certain Internet Service Providers (“ISPs”) on a private carrier basis. FTLD does not provide interconnected VoIP services as defined by 47 C.F.R. § 9.3 (2017). FTLD does not provide telecommunications services directly to any individual residential or business customers. This Compliance Statement is limited to FTLD’s operations as a “telecommunications carrier” and does not apply to customers or services where FTLD operates on a private carrier basis or where FTLD provides information services, as defined by 47 U.S.C. §153(24).

2. Compliance with 47 U.S.C. § 222:

Except as otherwise permissible by law, FTLD only uses, discloses, or permits access to Customer Proprietary Network Information (“CPNI”) received or obtained by FTLD by virtue of its provision of a telecommunications service in order to (i) provide the telecommunications service from which such information is derived, or (ii) provide services necessary to, or used in, the provision of such telecommunications service.

a. FTLD uses CPNI in order to initiate, render, bill and collect for telecommunications services provided.

b. FTLD uses CPNI in order to protect the property of the carrier or to protect users and other carriers from fraudulent or illegal use of, or subscription to, such telecommunications services.

c. FTLD does not use CPNI in order to market its telecommunications services.

d. FTLD does not provide any commercial mobile radio services ("CMRS") at this time.

e. FTLD does not provide telephone exchange services directly to end user customers.

3. Compliance with 47 C.F.R. § 64.2005:

a. FTLD does not currently use, disclose or permit access to CPNI for the purpose of marketing telecommunications services.

b. FTLD does not use, disclose or permit access to CPNI to identify or track customers that call competing service providers.

c. FTLD does use, disclose, or permit access to CPNI, without customer approval, as follows:

i. in its provision of maintenance and repair services;

ii. FTLD does not provide CMRS; and

iii. FTLD does not provide LEC, CMRS or interconnected VoIP services to end user customers.

d. FTLD uses, discloses or permits access to CPNI to protect its rights or property, or to protect users of those services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, such telecommunications services.

4. Compliance with 47 C.F.R. § 64.2007:

a. Because FTLD's use of CPNI does not require customer approval under the Commission's Rules, it does not currently solicit customer approval for use of CPNI.

b. FTLD does not disclose or provide access to CPNI to any joint venture partners or independent contractors. As such, it does not currently have a confidentiality agreement with any such entities in place.

5. Compliance with 47 C.F.R. § 64.2008:

a. Because FTLD's use of CPNI does not require customer approval under the Commission's Rules, FTLD does not provide notice to the customer of the customer's right to restrict use of, disclosure of, and access to that customer's CPNI.

6. Compliance with 47 C.F.R. § 64.2009:

a. FTLD has implemented a system by which the status of a customer's CPNI approval can be clearly established prior to the use of CPNI. Because FTLD's use of CPNI does not require customer approval under the Commission's Rules, it does not have approval from any customer to use CPNI for any purpose for which prior approval is required.

b. FTLD has trained its personnel as to when they are, and are not, authorized to use CPNI, and it has an express disciplinary process in place.

c. FTLD does not use customer CPNI for marketing of telecommunications services. As such, it does not have any record of sales and marketing campaigns which use customer CPNI.

d. FTLD has established a supervisory review process regarding its compliance with CPNI requirements. FTLD does not conduct any marketing campaigns subject to the Commission's outbound marketing situations regulations.

e. FTLD has established a procedure whereby an officer of the company conducts an internal CPNI regulations compliance review. The attached certification is the result of such a process.

f. Because FTLD's only use of CPNI does not require customer approval under the Commission's Rules, it does not currently solicit customer approval for use of CPNI via opt-out mechanisms.

7. Compliance with 47 C.F.R. § 64.2010:

a. FTLD takes reasonable measures to discover and protect against attempts to gain unauthorized access to CPNI. FTLD properly authenticates a customer prior to disclosing CPNI based on customer-initiated telephone contact. FTLD does not provide customers with access to CPNI via online account access or in-store visit.

b. With the exception of business customers covered under Section 64.2010(g) of the Commission's Rules, 47 C.F.R. § 64.2010(g), FTL D does not disclose call detail information over the telephone based on customer-initiated telephone contact.

c. With the exception of business customers covered under Section 64.2010(g) of the Commission's Rules, 47 C.F.R. § 64.2010(g), FTL D does not provide customers with online access to CPNI.

d. FTL D does not provide customers with in-store access to CPNI.

e. With the exception of business customers covered under Section 64.2010(g) of the Commission's Rules, 47 C.F.R. § 64.2010(g), FTL D does not establish passwords as a means of customer authentication.

f. With the exception of business customers covered under Section 64.2010(g) of the Commission's Rules, FTL D notifies customers immediately whenever an address of record is created or changed. This notification is by mail to the address of record. It does not reveal the changed information and does not provide new account information.

g. FTL D has contractual arrangements with business customers which differ from those contained in Section 64.2010, where such customers have dedicated account representatives and a contract that specifically addresses the carriers' protection of CPNI.

8. Compliance with 47 C.F.R. § 64.2011:

a. FTLD shall notify law enforcement of a breach of its customers' CPNI.

FTLD shall not notify its customers or disclose the breach publicly, whether voluntary or under state or local law or these rules, until it has completed the process of notifying law enforcement.

b. As soon as practicable, and in no event later than seven (7) business days, after reasonable determination of the breach, FTLD shall electronically notify the United States Secret Service ("USSS") and the Federal Bureau of Investigation ("FBI") through a central reporting facility. Notwithstanding any state law to the contrary, FTLD shall not notify customers or disclose the breach to the public until seven (7) full business days have passed after notification to the law enforcement agencies except in the following cases: (i) if FTLD believes that there is an extraordinarily urgent need to notify any class of affected customers sooner than otherwise allowed in order to avoid immediate and irreparable harm; or (ii) in the event that the relevant investigating agency determines that public disclosure or notice to customers would impede or compromise an ongoing or potential criminal investigation or national security, such agency may direct FTLD not to so disclose or notify for an initial period of up to 30 days, plus any extensions reasonably necessary in the judgment of the agency.

c. After FTLD has completed the process of notifying law enforcement under paragraph b. above, it shall notify its customers of a breach of those customers' CPNI.

d. FTLD maintains a record of any breaches discovered, notifications made to the USSS or FBI and notifications made to customers. The record shall include, if available, dates of discovery and notification, a detailed description of CPNI that was the subject of the breach, and the circumstances of the breach. FTLD shall retain the record for a minimum of two (2) years.