Annual 47 C.F.R. Section 64.2009(e) CPNI Certification
EB Docket 06-36

Puerto Rico Telephone Company, Inc.

Annual 64.2009 (e) CPNI Certification for 2014.

Date Filed: February 23, 2015

Name of company covered by this certification: Puerto Rico Telephone Company, Inc. (Including its wireless operations, doing business as Claro).

Form 499 Filer ID: 803109

Name of signatory: Yariluz Pérez Marrero

Title of signatory: Director Sales/Customer Service Centers

I, Yariluz Pérez Marrero, hereby certify that I am an officer of the company named above and, as such, 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. Section 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.

In the past year, the company received a complaint by a customer who alleged that some unauthorized person had access to his telephone account, printed his invoices, and left copy of the same with his wife. While the case was under investigation, the customer filed an informal complaint with the FCC on December 24, 2014 (José Izquierdo Laboy, FCC 14-C00632374). The company filed a response on February 13, 2015 stating that the customer's account was apparently accessed via Internet (E-Bill) by a person that had the customer's information needed to access the same. In order to prevent further intrusions, the electronic account was closed, with the customer's authorization. After a new invoice was generated, the company contacted the customer to verify that no new incidents had occurred. The customer responded in the negative.

At Guaynabo, Puerto Rico, this 23 day of February 2015.

Yariluz Pérez Marrero

Customer Proprietary Network Information
Certificate of Compliance

Puerto Rico Telephone Company, Inc.

I, Yariluz Pérez Marrero, Director Sales/Customer Service Center of Puerto Rico Telephone Company, Inc., HEREBY CERTIFY based on my personal knowledge, that Puerto Rico Telephone Company, Inc. (including its wireless operations doing business as Claro), has established operating procedures that are adequate to ensure compliance with the Federal Communications Commission rules and safeguards required for use of customer proprietary network information.

Enclosed herein and made a part hereof are the *2014 Customer Proprietary Network Information Compliance Statement* and the *Annual 47 C.F.R. 64.2009(e) CPNI Certification.*

In Guaynabo, Puerto Rico, this 23 day of February 2015.

Yariluz Pérez Marrero

Puerto Rico Telephone Company, Inc.

2014 Customer Proprietary Network Information (CPNI)

Compliance Statement

PRTC 2014 Statement of Operating Procedures Regarding CPNI

Section 64.2009(c) of the Federal Communications Commission's ("FCC's") rules requires that a carrier have an officer, as an agent of the carrier, sign a compliance certificate on an annual basis that the officer has personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's rules relating to customer proprietary network information ("CPNI"). The Attestation Acknowledgment by Yariluz Pérez Marrero, Director Sales/Customer Service Center Puerto Rico Telephone, Inc. ("PRTC"), provides this certification for PRTC (including its wireless operations doing business as Claro). Section 64.2009(c) also requires a statement explaining how a carrier's operating procedures ensure compliance with the CPNI rules. That statement follows.

Compliance Statement

Section 64.2005 Use of Customer Proprietary Network Information Without Customer Approval

(a) Any telecommunications carrier may use, disclose, or permit access to CPNI for the purpose of providing or marketing service offerings among the categories of service (*i.e.*, local, interexchange, and CMRS) to which the customer already subscribes from the same carrier, without customer approval.

(1) If a telecommunications carrier provides different categories of service, and a customer subscribes to more than one category of service offered by the carrier, the carrier is permitted to share CPNI among the carrier's affiliated entities that provide a service offering to the customer.

(2) If a telecommunications carrier provides different categories of service, but a customer does not subscribe to more than one offering by the carrier, that carrier is not permitted to share CPNI with its affiliates, except as provided in Section 64.2007(b).

(b) A telecommunications carrier may not use, disclose, or permit access to CPNI to market to a customer service offerings that are within a category of service to which the subscriber does not already subscribe from that carrier, unless that carrier has customer approval to do so, except as described in paragraph (c) of this section.

(1) A wireless provider may use, disclose, or permit access to CPNI derived from its provision of CMRS, without customer approval, for the provision of CPE and information service(s). A wireline carrier may use, disclose or permit access to CPNI derived from its provision of local exchange service or interexchange service, without customer approval, for the provision of CPE and call answering, voice mail or messaging, voice storage and retrieval services, fax store and forward, and protocol conversion.

(2) A telecommunications carrier may not use, disclose or permit access to CPNI to identify or track customers that call competing service providers. For example, a local exchange carrier may not use local service CPNI to track all customers that call local service competitors.

(c) A telecommunications carrier may use, disclose, or permit access to CPNI, without customer approval, as described in this subparagraph (c).

(1) A telecommunications carrier may use, disclose, or permit access to CPNI, without customer approval, in its provision of inside wiring installation, maintenance, and repair services.

(2) CMRS providers may use, disclose, or permit access to CPNI for the purpose of conducting research on the health effects of CMRS.

(3) LECs, CMRS providers and interconnected VoIP providers may use CPNI, without customer approval, 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 ID, call forwarding, and certain centrex features.

(d) A telecommunications carrier may use, disclose or permit access to CPNI to protect the rights or property of the carrier, or to protect users of those services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, such services.

PRTC's Statement: PRTC' marketing procedures use CPNI to provide or market service offerings to customers within the category(ies) of telecommunications services (i.e., local, interexchange, and CMRS) to which the customer already subscribes (subject to the exceptions listed in 47 U.S.C. §222(d) and the exemptions in this subpart). In cases which involve marketing of service offerings to customers outside the category(ies) of telecommunication services to which the customer already subscribes, prior CPNI approval is requested from the customer, in accordance with FCC rules. PRTC's marketing procedures share CPNI only with affiliates that provide telecommunications services in the categories to which the customer already subscribes.

Section 64.2007 Approval Required for Use of Customer Proprietary Network Information

(a) A telecommunications carrier may obtain approval through written, oral or electronic methods.

(1) A telecommunications carrier relying on oral approval shall bear the burden of demonstrating that such approval has been given in compliance with the Commission's rules in this part.

(2) Approval or disapproval to use, disclose, or permit access to a customer's CPNI obtained by a telecommunications carrier must remain in effect until the customer revokes or limits such approval or disapproval.

(3) A telecommunications carrier must maintain records of approval, whether oral, written or electronic, for at least one year.

PRTC's Statement: PRTC has not engaged in seeking either opt-out or opt-in consent from its customer base, except as allowed by the FCC's procedures for consent for one-time use of CPNI.

(b) *Use of Opt-Out and Opt-In Approval Processes*.

(1) A telecommunications carrier may, subject to opt-out approval or opt-in approval, use its customer's individually identifiable CPNI for the purpose of marketing communications-related services to that customer. A telecommunications carrier may, subject to opt-out approval or opt-in approval, disclose its customer's individually identifiable CPNI, for the purpose of marketing communications-related services to that customer, to its agents and its affiliates that provide communications-related services. A telecommunications carrier may also permit such persons or entities to obtain access to such CPNI for such purposes. Except for use and disclosure of CPNI that is permitted without customer approval under section 64.2005, or that is described in this paragraph, or as otherwise provided in section 222 of the Communications Act of 1934, as amended, a telecommunications carrier may only use, disclose or permit access to its customer's individually identifiable CPNI subject to opt-in approval.

PRTC's Statement: With respect to its agents or affiliates that provide communications-related services, PRTC has not engaged in seeking either opt-out or opt-in consent from its customer base, except as allowed by the FCC's procedures for consent for one-time use of CPNI. PRTC does not use, disclose or permit access to its customer's individually identifiable CPNI to third parties such as independent contractors or joint venture partners.

Section 64.2008 Notice Required for Use of Customer Proprietary Network Information

(a) *Notification Generally*.

(1) Prior to any solicitation for customer approval, a telecommunications carrier must provide notification to the customer of the customer's right to restrict use of, disclosure of, and access to that customer's CPNI.

(2) A telecommunications carrier must maintain records of notification, whether oral, written or electronic, for at least one year.

(b) Individual notice to customers must be provided when soliciting approval to use, disclose, or permit access to customers' CPNI.

(c) *Content of Notice*. Customer notification must provide sufficient information to enable the customer to make an informed decision as to whether to permit a carrier to use, disclose, or permit access to, the customer's CPNI.

(1) The notification must state that the customer has a right, and the carrier has a duty, under federal law, to protect the confidentiality of CPNI.

(2) The notification must specify the types of information that constitute CPNI and the specific entities that will receive the CPNI, describe the purposes for which CPNI will be used, and inform the customer of his or her right to disapprove those uses, and deny or withdraw access to CPNI at any time.

(3) The notification must advise the customer of the precise steps the customer must take in order to grant or deny access to CPNI, and must clearly state that a denial of approval will not affect the provision of any services to which the customer subscribes. However, carriers may provide a brief statement, in clear and neutral language, describing consequences directly resulting from the lack of access to CPNI.

(4) The notification must be comprehensible and must not be misleading.

(5) If written notification is provided, the notice must be clearly legible, use sufficiently large type, and be placed in an area so as to be readily apparent to a customer.

(6) If any portion of a notification is translated into another language, then all portions of the notification must be translated into that language.

(7) A carrier may state in the notification that the customer's approval to use CPNI may enhance the carrier's ability to offer products and services tailored to the customer's needs. A carrier also may state in the notification that it may be compelled to disclose CPNI to any person upon affirmative written request by the customer.

(8) A carrier may not include in the notification any statement attempting to encourage a customer to freeze third-party access to CPNI.

(9) The notification must state that any approval, or denial of approval for the use of CPNI outside of the service to which the customer already subscribes from that carrier is valid until the customer affirmatively revokes or limits such approval or denial.

(10) A telecommunications carrier's solicitation for approval must be proximate to the notification of a customer's CPNI rights.

PRTC's Statement: PRTC has not engaged in seeking either opt-out or opt-in consent from its customer base, except as allowed by the FCC's procedures for consent for one-time use of CPNI.

(d) *Notice Requirements Specific to Opt-Out.* A telecommunications carrier must provide notification to obtain opt-out approval through electronic or written methods, but not by oral communication (except as provided in paragraph (f) of this section). The contents of any such notifications must comply with the requirements of subsection (c) of this section.

PRTC's Statement: PRTC has not engaged in seeking either opt-out or opt-in consent from its customer base, except as allowed by the FCC's procedures for consent for one-time use of CPNI.

(1) Carriers must wait a 30-day minimum period of time after giving customers notice and an opportunity to opt-out before assuming customer approval to use, disclose, or permit access to CPNI. A carrier may, in its discretion, provide for a longer period. Carriers must notify customers as to the applicable waiting period for a response before approval is assumed.

(i) In the case of an electronic form of notification, the waiting period shall begin to run from the date on which the notification was sent.

(ii) In the case of notification by mail, the waiting period shall begin to run on the third day following the date that the notification was mailed.

(2) Carriers using the opt-out mechanism must provide notices to their customers every two years.

(3) Telecommunications carriers that use e-mail to provide opt-out notices must comply with the following requirements in addition to the requirements generally applicable to notification:

(i) Carriers must obtain express, verifiable, prior approval from consumers to send notices via e-mail regarding their service in general, or CPNI in particular;

(ii) Carriers must allow customers to reply directly to e-mails containing CPNI notices in order to opt-out;

(iii) Opt-out e-mail notices that are returned to the carrier as undeliverable must be sent to the customer in another form before carriers may consider the customer to have received notice; and

(iv) carriers that use e-mail to send CPNI notices must ensure that the subject line of the message clearly and accurately identifies the subject matter of the e-mail.

(v) Telecommunications carriers must make available to every customer a method to opt-out that is of no additional cost to the customer and that is available 24 hours a day, seven days a week. Carriers may satisfy this requirement through a combination of methods, so long as all customers, have the ability to opt-out at no cost and are able to effectuate that choice whenever they choose.

PRTC's Statement: PRTC has not engaged in seeking either opt-out or opt-in consent from its customer base, except as allowed by the FCC's procedures for consent for one-time use of CPNI.

(e) <u>Notice Requirements Specific to Opt-In</u>. A telecommunications carrier may provide notification to obtain opt-in approval through oral, written, or electronic methods. The contents of any such notification must comply with the requirements of subsection (c) of this section.

PRTC's Statement: PRTC has not engaged in seeking either opt-out or opt-in consent from its customer base, except as allowed by the FCC's procedures for consent for one-time use of CPNI.

(f) <u>Notice Requirements Specific to One-Time Use of CPNI</u>.

(1) Carriers may use oral notice to obtain limited, one-time use of CPNI for inbound and outbound customer telephone contacts for the duration of the call, regardless of whether carriers use opt-out or opt-in approval based on the nature of the contact.

(2) The contents of any such notification must comply with the requirements of subsection (c) of this section, except that telecommunications carriers may omit any of the following notice provisions if not relevant to the limited use for which the carrier seeks CPNI:

(i) Carriers need not advise customers that if they have opted-out previously, no action is needed to maintain the opt-out election.

(ii) Carriers need not advise customers that they may share CPNI with their affiliates or third parties and need not name those entities, if the limited CPNI usage will not result in use by, or disclosure to, an affiliate or third party.

(iii) Carriers need not disclose the means by which a customer can deny or withdraw future access to CPNI, so long as carriers explain to customers that the scope of the approval the carrier seeks is limited to one-time use.

(iv) Carriers may omit disclosure of the precise steps a customer must take in order to grant or deny access to CPNI, as long as the carrier clearly communicates that the customer can deny access to this CPNI for the call.

PRTC's Statement: PRTC uses oral notice to obtain customer consent to use CPNI for the duration of the customer call. The oral notice complies with the requirements of this section.

Section 64.2009 Safeguards Required for Use of Customer Proprietary Network Information

(a) Telecommunications carriers must implement a system by which the status of a customer's CPNI approval can be clearly established prior to the use of CPNI.

PRTC's Statement: PRTC' marketing procedures only make use of CPNI consistent with the FCC's rules for one-time use of CPNI.

(b) Telecommunications carriers must train their personnel as to when they are, and are not, authorized to use CPNI, and carriers must have an express disciplinary process in place.

PRTC's Statement: PRTC's policies regarding treatment of confidential information, including customer information, require that: this information must be used consistent with governing law; this information may only be used as specified by a supervisor; access to this information may only be given to employees who require that information for a legitimate commercial purpose; and any questions regarding interpretations of confidentiality laws and regulations should be referred to the Department of Legal and Regulatory Affairs. PRTC has trained employees as to when they are, and are not, authorized to use the customers' CPNI. All employees must acknowledge in writing that they have received a copy of these policies. PRTC's CPNI Policy, CPNI Procedures and Rules of Discipline make clear that any violation of communication privacy rules is punishable by dismissal on the first offence.

(c) All carriers shall maintain a record, electronically or in some other manner, of their own and their affiliates' sales and marketing campaigns that use their customers' CPNI. All carriers shall maintain a record of all instances where CPNI was disclosed or provided to third

parties, or where third parties were allowed access to CPNI. The record must include a description of each campaign, the specific CPNI that was used in the campaign, and what products and services were offered as a part of the campaign. Carriers shall retain the record for a minimum of one year.

PRTC's Statement: PRTC identifies and maintains records of marketing and sales campaigns that utilize CPNI, including records of disclosure to or access by agents. These records are maintained for a minimum of one year. The content of the records meets the Commission's requirements outlined above.

(d) Telecommunications carriers must establish a supervisory review process regarding carrier compliance with the rules in this subpart for outbound marketing situations and maintain records of carrier compliance for a minimum period of one year. Specifically, sales personnel must obtain supervisory approval of any proposed outbound marketing request for customer approval.

PRTC's Statement: All outbound marketing campaigns involving CPNI must be approved by the Director of Sales for the area in question prior to the campaign. PRTC maintains records of their marketing campaigns and supervisory reviews for a minimum of one year.

(e) A telecommunications carrier must have a corporate officer, as an agent of the carrier, sign and file with the Commission a compliance certificate on an annual basis. The officer must state in the certification that he or she has personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the rules in this subpart. The carrier must provide a statement accompanying the certificate explaining how its operating procedures ensure that it is, or is not, in compliance with the rules in this subpart. In addition, the carrier must include an 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. This filing must be made annually with the Enforcement Bureau on or before March 1 in EB Docket No. 06-36, for data pertaining to the previous calendar year.

PRTC's Statement: The February 2014 compliance certificate, accompanying statement and 47. C.F.R. Section 64.2009(e) CPNI Certification were signed by Yariluz Pérez Marrero, Director Sales/Customer Service Center. These documents comply with FCC requirements.

(f) Carriers must provide written notice within five business days to the Commission of any instance where the opt-out mechanisms do not work properly, to such a degree that consumers' inability to opt-out is more than an anomaly.

(1) The notice shall be in the form of a letter, and shall include the carrier's name, a description of the opt-out mechanism(s) used, the problem(s) experienced, the remedy proposed and when it will be/was implemented, whether the relevant state commission(s) has been notified and whether it has taken any action, a copy of the notice provided to customers, and contact information.

(2) Such notice must be submitted even if the carrier offers other methods by which consumers may opt-out.

PRTC's Statement: PRTC has not engaged in seeking either opt-out or opt-in consent from its customer base, except as allowed by the FCC's procedures for consent for one-time use of CPNI.

Section 64.2010 Safeguards on the disclosure of Customer Proprietary Network Information

(a) *Safeguarding CPNI.* Telecommunications carriers must take reasonable measures to discover and protect against attempts to gain unauthorized access to CPNI. Telecommunications carriers must properly authenticate a customer prior to disclosing CPNI based on customer-initiated telephone contact, online account access, or an in-store visit.

PRTC's Statement: PRTC does not provide call detail information in customer-initiated telephone contacts. PRTC has an established procedure that requires that the information be sent to the customer's address of record. PRTC's existing procedure for authenticating customers prior to allowing them online access to CPNI related to a telecommunications service, does not require the use of readily available biographical or account information. Once authenticated, customers may obtain online access to CPNI related to a telecommunications service only through the use of a User ID and a password. For those customers that visit PRTC's offices or retail stores requesting CPNI information, PRTC's procedure requires customers to call the Customer Contact Center, where service representatives will indicate to the customer that the information will be sent to the customer's record address. PRTC may also provide CPNI information to those customers that visit PRTC's stores and provide a valid photo ID, issued by the government, matching the customer's account information.

(b) *Telephone access to CPNI.* Telecommunications carriers may only disclose call detail information over the telephone, based on customer-initiated telephone contact, if the customer first provides the carrier with a password, as described in paragraph (e) of this section, that is not prompted by the carrier asking for readily available biographical information, or account information. If the customer does not provide a password, the telecommunications carrier may only disclose call detail information by sending it to the customer's address of record, or, by calling the customer at the telephone number of record. If the customer is able to provide call detail information to the telecommunications carrier during a customer-initiated call without the telecommunications carrier's assistance, then the telecommunications carrier is permitted to discuss the call detail information provided by the customer.

PRTC's Statement: PRTC does not provide call detail information over the telephone. PRTC has an established procedure that requires that the information be sent to the customer's address of record. Only when the customer is able to provide call detail information to the telecommunications carrier during a customer-initiated call without the telecommunications carrier's assistance, are PRTC's service representatives permitted to discuss the call detail information provided by the customer.

(c) <u>*Online access to CPNI.*</u> A telecommunications carrier must authenticate a customer without the use of readily available biographical information, or account information, prior to allowing the customer online access to CPNI related to a telecommunications service account. Once authenticated, the customer may only obtain online access to CPNI related to a telecommunications service account through a password, as described in paragraph (e) of this

section, that is not prompted by the carrier asking for readily biographical information or account information.

PRTC's Statement: PRTC' existing procedure for authenticating customers prior to allowing them online access to CPNI related to a telecommunications service does not require customers to provide certain readily available biographical and account information. Once authenticated, customers may obtain online access to CPNI related to a telecommunications service only through the use of a User ID and a password.

(d) *In-store access to CPNI.* A telecommunications carrier may disclose CPNI to a customer who, at a carrier's retail location, first presents to the telecommunications carrier or its agent a valid photo ID matching the customer's account information.

PRTC's Statement: For those customers that visit PRTC's offices or retail stores requesting CPNI information, PRTC's procedure requires customers to call the Customer Contact Center, where service representatives will indicate to the customer that the information will be sent to the customer's record address. PRTC may also provide CPNI information to those customers that visit PRTC's stores and provide a valid photo ID, issued by the government, matching the customer's account information.

(e) *Establishment of a Password and Back-up Authentication Methods for Lost or Forgotten Passwords.* To establish a password, a telecommunications carrier must authenticate the customer without the use of readily available biographical information, or account information. Telecommunications carriers may create a back-up customer authentication method in the event of a lost or forgotten password, but such back-up customer authentication method may not prompt the customer for readily available biographical information, 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 as described in this paragraph.

PRTC's Statement. PRTC's existing procedure for authenticating customers prior to allowing them online access to CPNI related to a telecommunications service does not require customers to provide certain readily available biographical and account information. Once authenticated, customers may obtain online access to CPNI related to a telecommunications service only through the use of a User ID and a password. PRTC's existing procedure for creating a back-up customer authentication method in the event of a lost or forgotten password is based on the use of a secret question.

(f) *Notification of account changes.* Telecommunications carriers must notify customers immediately whenever a password, customer response to a back-up means of authentication for lost or forgotten passwords, online account, or address of record is created or changed. This notification may be through a carrier-originated voicemail or text message to the telephone number of record, or by mail to the address of record, and must not reveal the changed information or be sent to the new account information.

PRTC's Statement: PRTC established and implemented a procedure to notify customers whenever a password, customer response to a back-up means of authentication for lost or forgotten passwords, online account, or address of record is created or changed.

(g) Business Customer Exemption. Telecommunications carriers may bind themselves contractually to authentication regimes other than those described in this section for services they provide to their business customers that have both a dedicated account representative and a contract that specifically addresses the carriers' protection of CPNI.

PRTC's Statement: PRTC does not provide call detail information over the telephone to business customers. PRTC has an established procedure that requires that the information be sent to the customer's address of record, or by calling to the customer registered telephone number. Only when the customer is able to provide call detail information to the telecommunications carrier during a customer-initiated call without the telecommunications carrier's assistance, are PRTC' service representatives permitted to discuss the call detail information provided by the customer.

Section 64.2011 Safeguards on the disclosure of Customer Proprietary Network Information

(a) A telecommunications carrier shall notify law enforcement of a breach of its customers' CPNI as provided in this section. The carrier shall not notify its customers or disclose the breach publicly, whether voluntarily or under state or local law or these rules, until it has completed the process of notifying law enforcement pursuant to paragraph (b) of this section.

(b) As soon as practicable, and in no event later than seven (7) business days, after reasonable determination of the breach, the telecommunications carrier shall electronically notify the United States Secret Service (USSS) and the Federal Bureau of Investigation (FBI) through a central reporting facility. The Commission will maintain a link to the reporting facility at http://www.fcc.gov/eb/cpni.

(1)Notwithstanding any state law to the contrary, the carrier shall not notify customers or disclose the breach to the public until 7 full business days have passed after notification to the USS and the FBI except as provided in paragraphs (b)(2) and (b)(3) of this section.

(2) If the carrier believes that there is an extraordinary urgent need to notify any class of affected customers sooner than otherwise allowed under paragraph (l), in order to avoid immediate and irreparable harm, it shall so indicate in its notification and may proceed to immediately notify its affected customers only after consultation with the relevant investigating agency. The carrier shall cooperate with the relevant investigating agency's request to minimize any adverse effects of such customer notification.

(3) If 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 the carrier not to so disclose or notify for an initial period of up to 30 days. Such period may be

extended by the agency as reasonably necessary in the judgment of the agency. If such direction is given, the agency shall notify the carrier when it appears that public disclosure or notice to affected customers will no longer impede or compromise a criminal investigation or national security. The agency shall provide in writing its initial direction to the carrier, any subsequent extension, and any notification that notice will no longer impede or compromise a criminal investigation or national security and such writings shall be contemporaneously logged on the same reporting facility that contains records of notifications filed by carriers.

(c) *Customer notification.* After a telecommunications carrier has completed the process of notifying law enforcement pursuant to paragraph (b) of this section, it shall notify its customers of a breach of those customers' CPNI.

(d) *Recordkeeping.* All carriers shall maintain a record, electronically or in some other manner, of any breaches discovered, notifications made to the USSS and the FBI pursuant to paragraph (b), and notifications to customers. The record must include, if available, dates of discovery and notification, a detailed description of the CPNI that was the subject of the breach, and the circumstances of the breach. Carriers shall retain the record for a minimum of 2 years.

(e) *Definitions.* As used in this section, a "breach" ha occurred when a person, without authorization or exceeding authorization, has intentionally gained access to, used, or disclosed the CPNI.

(f) This section does not supersede any statute, regulation, order, or interpretation in any State, except to the extent that such statute, regulation, order or interpretation is inconsistent with the provisions of this section, and then only to the extent of the inconsistency.

PRTC's statement: PRTC has established and implemented a procedure in order to notify the pertinent law enforcement agencies of any breach of its customers' CPNI and to maintain records, in accordance with this section