NEMR Telecom

NORTHEAST MISSOURI RURAL TELEPHONE COMPANY
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January 20, 2016

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Suite TW-A325
Washington, DC 20554

Dear Ms. Dortch:

Please find attached the annual Certificate of CPNI Filing (EB-06-TC-060, EB Docket No. 06-36) along with an Accompanying Statement for Northeast Missouri Rural Telephone Company.

Sincerely,

James E. Sherburne
Chief Executive Officer

JES/jlw

Attachments

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

Annual 64.2009(e) CPNI Certification Due March 1, 2016: Covering Calendar Year 2015

Date filed: January 20, 2016

Name of company covered by this certification: Northeast Missouri Rural Telephone Company

Form 499 Filer ID: 801405

Name of signatory: James E. Sherburne

Title of signatory: Chief Executive Officer

Certification:

I, James Sherburne, 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. This statement also explains what steps the company is taking to protect CPNI.

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 in the past year. The company does not have any information with respect to the processes pretexters are using to attempt to access CPNI .

The company has not received any 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 _____

Accompanying Statement
To CPNI Annual Certificate Due March 1, 2016
Period Covered: 2015
Northeast Missouri Rural Telephone Company

Northeast Missouri Rural Telephone Company ("NEMR") adheres to all CPNI rules found in Subpart U – Customer Proprietary Network Information – Part 64 of Title 47 of the Code of Federal Regulations (Sections 64.2001 – 64.2011) concerning the proper use of our customers' CPNI.

NEMR has established procedures requiring company personnel to take reasonable measures to discover and protect against attempts to gain unauthorized access to CPNI. Employees must properly authenticate a customer prior to disclosing CPNI.

NEMR has implemented a detailed Policies and Procedures Manual on the use, and safeguarding, of CPNI. The CPNI Manual is fully compliant with FCC CPNI rules and must be reviewed and signed by all company employees. In addition, all current NEMR employees have been thoroughly trained on the use, and safeguarding, of CPNI and all new employees receive similar training upon hire.

NEMR uses CPNI for marketing purposes and our customer notices for use of CPNI approval meets all of the requirements contained in the FCC rules, including those specified in Section 64.2008.

To further protect our customer's privacy, we have implemented all of the safeguards contained in Section 64.2009. This includes:

- The implementation of a system by which the status of a customer's CPNI approval can be clearly established prior to the use of CPNI;
- The training of appropriate personnel as to when they are, and are not, authorized to use CPNI and the documentation of this training;
- The implementation of an express disciplinary process for CPNI violations up to and including termination;
- The maintenance of a record, for at least one year, of our own, and our affiliates' sales and marketing campaigns that use customer CPNI;
- The establishment of a supervisory review process regarding carrier compliance with the federal CPNI rules for outbound marketing situations;
- The establishment of annual certification by a corporate officer with personal knowledge of NEMR's policies and procedures to ensure compliance with the federal CPNI rules; and
- The establishment of procedures for notification of the Commission of any instance where opt-out mechanisms do not work properly, to such a degree that consumers' inability to opt-out is more than an anomaly.

See following pages from CPNI Policies and Procedures Manual for more details.

Signed

II. Company Policy Regarding CPNI

Customer Proprietary Network Information (CPNI) is information that NEMR obtains when providing telecommunications services to our customers, including services provided by our affiliates. Under federal law, customers have the right and NEMR has the duty to protect the confidentiality of information regarding the telecommunication services to which customers subscribe. This confidential information includes such things as, specific services the customer purchases, the number of services purchased, who the provider is for a service, call detail records, and charges related to services purchased. NEMR takes our responsibility to protect our customers CPNI very serious and we do not use, disclose, or allow access to our customers CPNI except as allowed by law.

NEMR authorized employees are allowed to use CPNI as necessary to:

1. initiate, render, maintain, troubleshoot, repair, bill and collect for telecommunications services NEMR provides;

2. protect the rights or property of NEMR, or to protect users of those services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, such services; or

3. provide any inbound telemarketing, referral, or administrative services to the customer for the duration of the call, if such call was initiated by the customer and the customer approves of the use of such information to provide such service.

NEMR shall also disclose CPNI upon affirmative written request by the customer, to anyone designated by the customer.

Other use, disclosure, or permitting access to CPNI for marketing purposes must be conducted within FCC defined rules.

In this effort, NEMR must follow all applicable FCC rules as contained in Subpart U – Customer Proprietary Network Information – of Part 64 of Title 47 of the Code of Federal Regulations.

This CPNI Policies and Procedures Manual 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 Manual, and then only to the extent of the inconsistency.

III. Marketing

A. Customer Approval Necessary

NEMR may, subject to opt-out approval, use a customer's individually identifiable CPNI for the purpose of marketing communications-related services to that customer. NEMR may, subject to opt-out approval, also 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. NEMR must implement a system by which the status of a customer's CPNI approval can be clearly established prior to the use of CPNI.

NEMR 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. A record shall be maintained 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. This record will be retained for a minimum of one year. Sales personnel must obtain supervisory approval of any proposed outbound marketing request for customer approval.

NEMR will 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. 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. 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; and

1. Written and Electronic Notification

NEMR has established an opt-out letter consistent with the requirements of the FCC Rules attached to this manual. If the letter is ever modified in the future, NEMR will ensure that they are consistent with the specific notice provisions of the FCC rules set forth below:

a. Opt-out – General Notice Requirements

1) NEMR will provide notification to the customer of the customer's right to restrict use of, disclosure of, and access to that customer's CPNI.
2) Customer notification must provide sufficient information to enable the customer to make an informed decision as to whether to permit NEMR to use, disclose, or permit access to, the customer's CPNI.
3) The notification must state that the customer has a right, and NEMR has a duty, under federal law, to protect the confidentiality of CPNI.
4) 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.

5) 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, NEMR may provide a brief statement, in clear and neutral language, describing consequences directly resulting from the lack of access to CPNI.
6) The notification must be comprehensible and must not be misleading.
7) 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.
8) If any portion of a notification is translated into another language, then all portions of the notification must be translated into that language.
9) NEMR may state in the notification that the customer's approval to use CPNI may enhance NEMR's ability to offer products and services tailored to the customer's needs. NEMR also may state in the notification that it may be compelled to disclose CPNI to any person upon affirmative written request by the customer.
10) NEMR may not include in the notification any statement attempting to encourage a customer to freeze third-party access to CPNI.
11) 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.
12) NEMR's solicitation for approval must be proximate to the notification of a customer's CPNI rights.

b. Opt-Out – Electronic Notice Requirements

a) NEMR must first obtain express, verifiable, prior approval from consumers to send notices via e-mail regarding their services in general, or CPNI in particular;
b) NEMR must allow customers to reply directly to e-mails containing CPNI notices in order to opt-out;
c) Opt-out e-mail notices that are returned as undeliverable must be sent to the customer in another form before NEMR may consider the customer to have received notice.
d) The subject line of the message clearly and accurately identifies the subject matter of the e-mail; and
e) NEMR 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. NEMR may satisfy this requirement through a combination of methods, so long as all customers have the ability to opt-out at not cost and are able to effectuate that choice whenever they choose.

2. Oral Notice - One-Time Use of CPNI

NEMR 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. The contents of any such notification must comply with the general opt-out requirements listed above, except that NEMR may omit any of the following notice provisions if not relevant to the limited use for which the carrier seeks CPNI:

a) NEMR need not advise customers that if they have opted-out previously, no action is needed to maintain the opt-out election;
b) NEMR 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;
c) NEMR 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; and
d) NEMR 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 his CPNI for the call.

3. Opt-Out Failures

NEMR must provide written notice within five (5) business days to the FCC 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. The notice shall be in the form of a letter, and shall include NEMR'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. Such notice must be submitted even if the carrier offers other methods by which consumers may opt-out.

B. Customer Approval Not Necessary

NEMR is allowed to use, disclose, or permit access to customer CPNI by our affiliate(s) who provide telecommunications services for marketing purposes as long as the customer obtains a category of service from both NEMR and our telecommunications affiliate(s) at the same time.

NEMR as the provider of local service to the customer is allowed to use, disclose, or permit access to our customers CPNI for marketing what is known as adjunct-to-basic services. Adjunct-to-basic services would include, but is not limited to, speed dialing, call monitoring, call tracing, call blocking, call return, call waiting and call forwarding.

NEMR may use, disclose or permit access to a customers CPNI for marketing such services as, call answering, voice mail or messaging, voice storage and retrieval services, fax storage and retrieval services and CPE.

NEMR may use CPNI of a customer lost to a competitor in an attempt to "Win Back" the customer.

IV. Release of Call Detail Information

A. Password Protection

Due to the sensitive nature of call detail CPNI information, the Federal Communications Commission (FCC) released rules pertaining to the use and disclosure of call detail CPNI. Call detail CPNI refers to any and all information pertaining to the transmission of specific telephone calls such as telephone number called, telephone number calling, time, date, charges, location and duration of the telephone call.

Among the new rules is the requirement for NEMR to allow our customers to establish a password and provide that password during a customer initiated telephone call before NEMR is authorized to disclose or discuss call detail information. The password will be created by the customer and for customer protection, the customer will be advised this password should not be derived from readily available biographical or account information such as their social security number, mother's maiden name, home address or date of birth.

NEMR has implemented the above password protection authentication method and will release call detail information as outlined below.

B. Authorized Release

NEMR will release call detail information only if certain specific requirements have been met:

1. Customer Initiated Telephone Account Access

Call detail CPNI information requested by the customer via a customer initiated telephone call will only be released via the following methods:

a) the requesting individual provides a password of record; or

b) the information will be sent to the customer's address of record; or

c) NEMR will call the telephone number of record and disclose the call detail information.

d) NEMR may proceed with routine customer care procedures if the customer can provide all of the call detail information. NEMR will not disclose any call detail other than the information the customer disclosed during that particular contact.

2. Retail Location Account Access
Customers must have a valid, government issued photo identification, such as a driver's license, passport, or comparable ID to obtain call detail CPNI information at NEMR's retail location.

V. Notification of Account Changes

NEMR will notify customer immediately of any password change or change to the address of record. This notification will be through a telephone call to the number of record or sent to the address of record. Such notification will not reveal what the account information was changed to and in the case of an address change, notification will be sent to the former address, not the new. New customers are exempt from this notification at service initiation.

VI. Procedures to Protect Against Pretexting

Pretexting is the practice of pretending to be a particular customer or other authorized person in order to obtain access to that customer's call detail or other private communications records. NEMR has employed the above procedures and safeguards in order to achieve reasonable measures designed to discover and protect against pretexting.

VII. Annual Certification

NEMR will certify annually compliance to the CPNI rules. This certification will be filed with the FCC and will be made publicly available by request.

NEMR's annual certification will be signed by an Officer as an agent of NEMR, stating that he/she has personal knowledge that NEMR has established operating procedures that are adequate to comply with the FCC CPNI rules.

In addition to the annual certification, NEMR will provide an accompanying statement explaining how its policies and procedures ensure NEMR is or is not in compliance with the FCC's CPNI rules. In the explanation, NEMR will include:

A. the training that employees receive to protect CPNI.

B. the disciplinary process applicable to improper disclosure of CPNI.

C. the process used to ensure all requests to opt-in or opt-out are recorded and follow-up methods used.

D. an explanation of any actions taken against data brokers.

E. information the company possesses with respect to the processes pretexters are using in an attempt to access CPNI.

F. a summary of all customer complaints received in the past year concerning unauthorized release of CPNI.

G. other measures relevant to demonstrate compliance with the FCC's CPNI rules.

VIII. Notice of Unauthorized Disclosure and/or CPNI Security Breaches

As used in this section, a "breach" has occurred when a person, without authorization or exceeding authorization, has intentionally gained access to, used, or disclosed CPNI.

As soon as practicable, but in no event later than seven (7) business days, after reasonable determination of the breach, NEMR shall electronically notify the United States Secret Service (USSS) and the Federal Bureau of Investigation (FBI) through a central reporting facility. This will be done through the FCC's link to the reporting facility at http://www.fcc.gov/eb/cpni.

NEMR will not notify any of 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 as required and spelled out below.

A. Notwithstanding any state law to the contrary, NEMR shall not notify customers or disclose the breach to the public until 7 full business days have passed after notification to the USSS and the FBI except as in the following two parts of this section.

1. If NEMR believes that there is an extraordinarily urgent need to notify any class of affected customers sooner than otherwise allowed under the above paragraph of this section, 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. NEMR shall cooperate with the relevant investigating agency's request to minimize any adverse effects of such customer notification.

2. 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 NEMR not to 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 NEMR when it appears the 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 NEMR, any subsequent extension, and any notification that notice will no longer impede or compromise a criminal investigation or national

security and such writing shall be contemporaneously logged on the same reporting facility that contains records of notifications filed by carriers.

B. Customer Notification. After NEMR has completed the process of notifying law enforcement as listed above, it shall notify the affected customer(s) of the CPNI breach.

C. Recordkeeping. NEMR will maintain a record, electronically or in some other manner, of any breaches discovered, notifications made to the USSS and the FBI, and all notifications made to customers. This record must include, if available:

1. dates of discovery and notification.
2. a detailed description of the CPNI that was the subject of the breach.
3. the circumstances of the breach
4. NEMR will retain the record for a minimum of 2 years.

IX. Safeguards by Company

A. Customer Records

When a marketing campaign requires customer approval, NEMR customer service records will clearly establish the status of the customer CPNI approval. Record of this approval or disapproval will be kept for a minimum of (one) year. The customers' approval or disapproval will remain in effect until revoked by the customer.

All existing personnel of NEMR will be trained and upon commencement in the case of new employment regarding customer CPNI status. This will include when the employee is authorized to use and when they are NOT authorized to use CPNI. Any infractions of NEMR's CPNI policies will be reported to the General Manager and a record will be made of the infraction(s) and the appropriate disciplinary steps taken.

Discipline for infractions of the CPNI policies relating to call detail records will be in the form of a letter of reprimand to the employee's file for an initial infraction, one day suspension without pay for a second infraction and either termination or complete restriction from access to call detail records in the case of a third infraction within a twelve month period.

X. Interface with CALEA Compliance

In order to comply with certain Communications Assistance for Law Enforcement Agencies (CALEA) rules, NEMR has engaged the services of a CALEA Service Provider. This CALEA Service Provider is involved in the event of a request for certain types of surveillance activities by Law Enforcement Agencies (LEAs). The following or similar language will be included in the CALEA Service Provider agreement to protect customer CPNI.

Whereas NEMR is required by law and under NEMR policies to protect the privacy and security of the information regarding its customers, NEMR's CALEA Service Provider, in rendering services for NEMR receives customer proprietary network information, as that term is defined under 47 U.S.C. Section 222 and interpreted by the FCC ("CPNI"), the CALEA Service Provider shall maintain the confidentiality of such CPNI according to the policies and procedures implemented by NEMR. The CALEA Service Provider shall promptly delete from its records any CPNI that is received which is not delivered to an LEA pursuant to a lawfully authorized intercept request.

XI. Interface with Contractors

NEMR has occasion to utilize Contractors for specific projects in conducting its normal business. The following or similar language will be included in the Contractor agreement to protect customer CPNI.

> Whereas NEMR is required by law and under NEMR policies to protect the privacy and security of the information regarding its customers, NEMR's Contractors, in rendering services for NEMR may have access to customer proprietary network information, as that term is defined under 47 U.S.C. Section 222 and interpreted by the FCC ("CPNI"). Contractors shall maintain the confidentiality of such CPNI according to the policies and procedures implemented by NEMR. Upon completion of the project, Contractor shall promptly delete from its records any CPNI that is received in its engagement with NEMR.

XII. Training of Employees

NEMR provides annual training to existing employees, and training to all new employees, on the proper use and disclosure of CPNI. Records of the training material and documentation of attendance is kept on file. Individual employee training records are maintained for seven years after the end of the individual's employment with the company.

Included as a part of the employee training is the need to communicate to NEMR employees that the customer always retains the right to restrict NEMR or affiliate use of CPNI data. This restriction applies to the authorized use and sharing of CPNI without customer approval as stated in Section "Customer Approval Not Necessary" of this policies and procedures manual. The customer decision regarding NEMR use of CPNI will not affect NEMR's provision of any current customer services.

XIII. Annual Review by Company Management

NEMR treats customer privacy as a serious issue. NEMR is proud of its long history of reliable, trustworthy service and is vigilant in the steps that will be taken to ensure customer privacy. Accordingly, NEMR policy requires this CPNI Policy Manual to be reviewed by the General Manager on an annual basis.

XIV. Signature Page

This manual was reviewed by _____ on _____.
(Name of Employee) (Date)
I have read and understand the CPNI compliance policy of NEMR.

_____
(Signature of Employee)

(This signature page is to be detached from this manual and kept on file by the General Manager for a period of not less than seven years after the end of the individual's employment with the company.)