ION

INDEPENDENT
OPTICAL
NETWORK

February 3, 2016

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W., Suite TW-A325
Washington, D.C. 20554

Re: **EB Docket No. 06-36**
Annual 64.2009(e) CPNI Certification for 2016
Form 499 Filer ID: 827430

Dear Mrs. Dortch:

Pursuant to §64.2009(e) of the Commission's rules, ION HoldCo, LLC ("ION") hereby certifies that the company has established operating procedures that are adequate to ensure compliance with the rules set forth in Subpart U of Part 64 of the Commission's Rules.

ION complies with all applicable CPNI rules, and does not use CPNI for marketing purposes. Attached to this certification is an accompanying statement explaining how ION's procedures ensure the company is in compliance with the requirements set forth in sections 64.2001 *et seq.* of the Commission's rules.

ION did not take any actions against data brokers in the past year. Also, having no retail customers, ION did not receive any customer complaints in the past year concerning unauthorized release of CPNI, or unauthorized disclosure of CPNI.

I, the undersigned, hereby certify that I am an officer of ION and that I have personal knowledge that ION's has established operating procedures to ensure compliance with the FCC's CPNI rules set forth in SS 64.2001 *et seq.*

Richard Kendall
President

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Customer Proprietary Network Information Certification
Attachment A

ION has established practices and procedures adequate to ensure compliance with Section 222 of the Communications Act of 1934, as amended, and the Federal Communications Commission's ("FCC") rules pertaining to customer proprietary network information ("CPNI") set forth in sections 64.2001 – 64.2011 of the Commission's rules. This attachment summarizes those practices and procedures.

Safeguarding against pretexting

- ION takes reasonable measures to protect CPNI and believes that these measures are sufficient to prevent unauthorized access to CPNI.

Training and discipline

- ION has trained its personnel in the appropriate use of CPNI. ION has disciplinary process in place for violations of ION's practices and procedures which would encompass any misuse of CPNI.

ION's use of CPNI

- ION does not share, disclose, or otherwise provide CPNI to any third parties.

- ION may use CPNI for the following purposes:

  - To initiate, render, maintain, repair, bill and collect for services;
  - To protect its property rights; or to protect its subscribers or other carriers from fraudulent, abusive, or the unlawful use of, or subscription to, such services;
  - To provide inbound telemarketing, referral or administrative services to the customer during a customer initiated call and with the customer's informed consent.
  - To market additional services to customers that are within the same categories of service to which the customer already subscribes;

- ION does not disclose or permit access to CPNI to track customers that call competing service providers.

- ION discloses and permits access to CPNI where required by law (*e.g.*, under a lawfully issued subpoena).

Customer approval and informed consent

ION does not use CPNI for any purpose that would require customer approval to do so. For example, ION does not use CPNI for any marketing purposes and does not share, disclose, or otherwise provide CPNI to any third party. If this policy changes in the future, ION will implement practices and procedures to ensure compliance with the Commission's CPNI regulations.

Additional safeguards

- ION has established a supervisory review process designed to ensure compliance with the FCC's CPNI rules.

- ION designates one or more officers, as an agent or agents of the company, to sign and file a CPNI compliance certificate on an annual basis. The certificate conforms to the requirements set forth in FCC rule 64.2009(e).

- ION does not provide or disclose CPNI over the telephone or online, and ION does not have any retail locations at which it might disclose CPNI to customers in person.

- ION notifies customers immediately of any account changes.

- ION maintains a record of carrier compliance for a minimum period for one year.

- ION may negotiate alternative authentication procedures for services that ION provides to business customers that have both a dedicated account representative and a contract that specifically addresses ION's protection of CPNI.

- In the event of a breach of CPNI, ION will notify law enforcement as soon as practicable and no later than seven (7) business days from discovering the by ION. Customers will be notified after the seven (7) day period, unless the relevant investigatory party directs ION to delay notification, or ION and the investigatory party agree to an earlier notification. ION will maintain a record of all CPNI security breaches, including a description of the breach and the CPNI involved, along with notifications sent to law enforcement and affected customers.