

February 6, 2006

**VIA OVERNIGHT MAIL**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: EB Docket No. 06-36  
EB-06-TC-060  
FiberNet, LLC –CPNI Certification and Incorporated Statement**

Dear Ms. Dortch:

Enclosed for filing please find an original of the **“CPNI Certification and Incorporated Statement of Virgil E. Parsons on behalf of FiberNet, LLC”** (“FiberNet”) in the above-captioned proceeding.

Please address any inquiries or further correspondence regarding this filing to my attention at 211 Leon Sullivan Way, Charleston, WV 25301. Should you need to contact me directly, I may be reached by telephone at (304) 720-2159, by facsimile at (304) 720-2121, or by e-mail at [shamula@wvfibernet.net](mailto:shamula@wvfibernet.net).

Sincerely,



STEVEN HAMULA  
Director of Regulatory Affairs  
FiberNet, LLC

SH/s  
Enclosure

328 Neville Street  
Beckley, WV 25801  
304.929.2101

1102 Third Avenue  
Huntington, WV 25701  
304.781.2101

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225 South Maple Ave.  
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142 Gazebo Park, Suite 201  
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900 Fairmont Avenue, Suite 201  
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412 Market Street, Suite 203  
Parkersburg, WV 26101  
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38 Fifteenth Street, Suite 200  
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304.230.2101

114 12th Street  
Altoona, PA 16601  
814.296.2101

113-115 Baltimore Street, Suite 204  
Cumberland, MD 21502  
301.876.9101

## **CPNI Certification and Incorporated Statement of Virgil E. Parsons on behalf of FiberNet, LLC**

1. My name is Virgil E. Parsons. I am the President and Chief Operating Officer of FiberNet, LLC and its CLEC subsidiaries.
2. The CLEC subsidiaries of FiberNet, LLC include FiberNet Telecommunications of Pennsylvania, LLC, and FiberNet of Ohio, LLC.
3. I have personal knowledge concerning the CPNI rules, FiberNet's CPNI policy, and the systems that FiberNet has undertaken in connection with CPNI.
4. FiberNet uses a customer's CPNI for purposes of marketing service offerings to its customers among categories of service, such as local, interexchange and internet access, to which the underlying customer already subscribes for such services from FiberNet.
5. FiberNet does not use a customer's CPNI to market service offerings to customers that are in a different category of service. To the extent that it does so in the future, FiberNet will obtain customer approval through the opt-out process or other recognized method. FiberNet will honor a customer's approval or disapproval to use, disclose or permit access to CPNI until the customer revokes or limits such approval. FiberNet will maintain a copy of such approval for a minimum of one (1) year.
6. FiberNet will provide written notice of a customer's right to restrict the use of, disclosure of, and access to that customer's CPNI by use of either a separate notification document that fully apprises the customer of his or her rights, and FiberNet's duties, to protect the privacy of CPNI under applicable law or by the insertion of similar language into FiberNet's Telecommunications Service Agreements ("TSAs"), which a customer reviews before executing.
7. FiberNet does not sell CPNI to third parties.
8. FiberNet has a written CPNI policy that is designed to ensure the Company complies with the CPNI rules. In addition to the above matters, such policy addresses marketing between affiliates; maintaining records of CPNI notification; maintaining records of marketing campaigns that use CPNI; the review process regarding carrier compliance with the use of CPNI for marketing; training for employees who have access to CPNI; and annual compliance certificates.

Signed,



Virgil E. Parsons  
President & Chief Operating Officer  
FiberNet, LLC

February 6, 2006