



Jim Bugel • Executive Director • phone 202.419.3004 • fax 202.419.3030

VIA ECFS

February 6, 2006

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: **Certification of CPNI Filing (February 6, 2006)
EB-06-TC-060 and EB Docket No. 06-36**

Dear Ms. Dortch:

In accordance with *Public Notice*, DA 06-258, released February 2, 2006, please find attached Cingular Wireless LLC's most recent customer proprietary network information compliance certification and explanatory statement.

If you have any questions, please contact the undersigned.

Respectfully submitted,

/s/ Jim Bugel
Jim Bugel
Vice President – Federal Government Affairs
and National Security Policy

Attachments

cc: Byron McCoy (via e-mail)
BCPI (via e-mail)

Cingular Wireless Statement of CPNI Compliance for 2004

1. **Customer Approvals.** As contemplated in FCC Rule Sections 64.2005 and 64.2007, 47 C.F.R. §§ 64.2005 and 64.2007, in the event that Cingular elects to use CPNI to target a customer for the sale of a product or service outside of that customer's existing service relationship with Cingular Wireless, Cingular must acquire customer approval. In addition Cingular must be able to clearly establish the customer's approval status.
 - There are very few "out of category" services for which approval is required to use CPNI. Therefore, Cingular has currently prohibited the use of CPNI to sell "out of category" services.
 - Cingular has shared CPNI with its parents for those customers who are subscribers of both Cingular and the respective parent and thus express customer approval is not required.
 - Cingular has not solicited customers for permanent approval for the purpose of using CPNI outside the existing service relationship. Therefore, all customer accounts are treated as though no approval has been given for use of CPNI. If this policy changes, Cingular will develop procedures to acquire approval from its customers prior to using CPNI to market "out of category" services.

2. **Training and Disciplinary Policy.** In compliance with FCC Rule Section 64.2009(b), 47 C.F.R. § 64.2009,, employee training is required to teach Cingular's requirements under CPNI rules and the permissible use, access and disclosure of CPNI. Further, Cingular must have an express disciplinary process in place.
 - All employees who have access to customer data, have outbound marketing responsibilities or are officers of Cingular Wireless completed specific CPNI training by March 31, 2003. CPNI training has recently been included in the Privacy training and completed this Privacy training in April 2004. Former AWS employees are to complete the Privacy training by June 2005.
 - Cingular Wireless has adopted a policy requiring compliance with the CPNI Rules. Any failure by any personnel to comply with the CPNI Rules is subject to personnel disciplinary procedures up to and including termination of employment, depending on the nature and severity of the non-compliance. This compliance and disciplinary process is emphasized in training and is also included in Cingular's Code of Conduct.

3. **Sales and Marketing Campaigns.** In compliance with FCC Rule Section 64.2009(c) and (d), 47 C.F.R. § 64.2009(c) and (d), all sales and marketing campaigns that use CPNI, including all "outbound marketing campaigns," require the maintenance of a record of those campaigns for no less than one year. Further, all sales and marketing campaigns that use CPNI require advance supervisory approval.
 - Cingular Wireless has created a database to maintain a record of all outbound campaigns that used CPNI in the past year and is maintained by the Marketing Department. These records are maintained at least for one year.
 - Cingular Wireless has established and follows a procedure that governs the review and approval of all sales and marketing campaigns through Marketing HQ.

Name: _____

Signature: _____

Date: _____

C. A. Lash

9/23/05

CINGULAR WIRELESS CPNI COMPLIANCE REPORT – 2004

Marketing Organization

This CPNI Compliance Report is provided to facilitate and support the annual CPNI certification to be provided by Carol Tacker, on behalf of Cingular Wireless.

The undersigned Compliance Representative for the named organization, hereby confirms that the following are true:

Sales and Marketing Campaigns.

Cingular has developed a supervisory review process to assure that all sales and marketing campaign that propose to use CPNI are reviewed and approved.

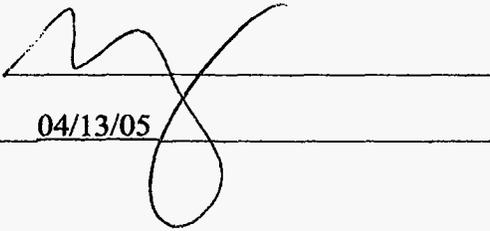
- Requests for marketing lists and customer data are channeled through the Marketing Information Services Organization. Additionally, access to customer contact information and the ability to download targeted customer lists has been restricted to only authorized personnel in Marketing HQ or personnel jointly authorized by the Executive Director of Compliance and the Director of Marketing Information Services.
- Any requests for use of CPNI for such lists or outbound campaigns are reviewed for CPNI compliance and must be approved through the MKIS organization.

Cingular has developed a centralized process for review, approval and recording of outbound marketing campaigns.

- All outbound marketing campaigns are directed to the Marketing HQ for review and approval.
- Upon approval, details of the campaign, any use of CPNI is recorded in the CPNI Marketing Record. This record is retained at least for a year and includes: a description of the campaign, type of CPNI used, and the products and services offered in the marketing campaign.

Name: Marc Lefar

Title: Chief Marketing Officer

Signature: 

Date: 04/13/05