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March 7, 2006

By Electronic Filing

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

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MAR - 8 2006

Federal Communications Commission
Office of Secretary

Re: 2005 Certification of CPNI Filing (03/07/06)
EB Docket No. 06-36; EB-06-TC-060; and EB-06-TC-053

Dear Ms. Dortch:

In accordance with the Public Notices in the above-referenced dockets, *Enforcement Bureau Directs All Telecommunications Carriers to Submit CPNI Compliance Certifications*, DA 06-223 (rel. Jan. 30, 2006), and *Enforcement Bureau Opens New Docket for February 6, 2006 Filing of CPNI Compliance Certifications*, DA 06-258 (rel. Feb. 2, 2006), Sprint Nextel Corporation hereby submits its 2005 CPNI Compliance Certificate and Statement under 47 C.F.R. §64.2009(e) in the above referenced dockets to update and supplement its prior filings in these dockets. Please contact the undersigned if you have any questions.

Respectfully submitted,



To-Quyen Truong
Counsel for Sprint Nextel Corporation

cc: Best Copy and Printing
Christopher Olsen, Esq.
Colleen Heitkamp, Esq.
Marcy Greene, Esq.
Donna Cyrus, Esq.

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Sprint Nextel
2001 Edmund Halley Drive
Reston, VA 20191

2005 CPNI COMPLIANCE CERTIFICATE AND STATEMENT

1. My name is Kent Nakamura and I am Vice President for Telecommunications Management and Chief Privacy Officer for Sprint Nextel Corporation ("Sprint Nextel"). This CPNI Compliance Certificate and Statement is prepared pursuant to Section 64.2009(e) of the Federal Communications Commission's rules and regulations, 47 C.F.R. § 64.2001 *et seq.*
2. Sprint Nextel Corporation owns or controls various telecommunications carriers, including (a) Commercial Mobile Radio Service carriers, (b) interexchange carriers and (c) local exchange carriers. Sprint Nextel Corporation was formed in August 2005, following the merger of Sprint Corporation ("Sprint") and Nextel Communications Inc. ("Nextel"). This compliance certificate and statement discusses the 2005 systems and procedures of the legacy Sprint and Nextel organizations prior to the merger, as well as those of the merged company after August 2005.
3. Sprint Nextel's Office of Privacy has undertaken an investigation under my direction, with the assistance of personnel from the relevant operating groups, of the systems and procedures designed by the company to protect customer proprietary network information ("CPNI") and honor subscribers' preferences regarding the use and disclosure of their CPNI. On behalf of Sprint Nextel, I certify that, based on my personal observation and the reports of this investigation, Sprint Nextel Corporation has in place the operating systems and procedures summarized in the attached document, marked Attachment A, to safeguard CPNI from improper use and disclosure, in accordance with the FCC's rules and regulations.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 28, 2006.

Kent Nakamura
Vice President for Telecommunications Management
& Chief Privacy Officer
Sprint Nextel Corporation

ATTACHMENT A
To Sprint Nextel 2005 CPNI Compliance Certificate & Statement

Preparation of this CPNI Certification and Statement has been especially challenging because it required the review of both Sprint's and Nextel's pre-merger systems and procedures, in addition to Sprint Nextel's post-merger systems and procedures for compliance with the CPNI rules. Sprint Nextel's Office of Privacy had to survey and evaluate operating systems and processes across the combined company's multiple business units, at a time when these organizations have been undergoing and continue to undergo massive change in structure and personnel in the ongoing merger integration process. Indeed, legacy Sprint had just undertaken a major restructuring in 2004 and has many different operating business units, making the CPNI compliance and review process highly complex. The complexity of this process increased exponentially with the merger, which was consummated in August 2005.

Sprint Nextel's Office of Privacy has been examining business activities, operating systems and processes across the merged company to evaluate and implement the best practices of both Sprint and Nextel and to incorporate CPNI compliance into the company's business operations. Unless otherwise indicated herein by specific reference to legacy Sprint or Nextel, references to Sprint Nextel include the common practices and procedures of legacy Sprint, legacy Nextel and the combined company. Even before the merger, both Sprint and Nextel took proactive measures to ensure each company's compliance with its CPNI obligations. For example, in 2005, under the direction of legacy Sprint's Chief Privacy Officer, Sprint conducted an audit, or legal assessment, to obtain legal guidance regarding privacy compliance issues and security measures. The merger and subsequent merger integration process interrupted the company's evaluation of the report and recommendations. Sprint Nextel's Office of Privacy has been studying and continues to study this report and other data in the context of the merged company structure. The Office of Privacy will continue to enhance Sprint Nextel security systems and processes, particularly those applicable to CPNI, by rolling out new CPNI and security training programs, centralizing the CPNI notice and consent process, and generally strengthening administrative, physical and technical safeguards.

CPNI Access, Training and Disciplinary Process

Under standard Sprint Nextel procedures, only those persons with duties that require access to CPNI to perform their job functions are eligible for such access, and access is controlled through User IDs and passcodes. Sprint Nextel has adopted a disciplinary process, which has been incorporated into the company's corporate compliance procedures and communicated to employees, to address any employee mishandling or misuse of CPNI. Company security personnel investigate instances of potential improper access or disclosure of CPNI by employees. If the investigation indicates a violation has occurred, disciplinary action and potential prosecution will follow. Violations of the company's CPNI safeguards subject employees to disciplinary actions up to and including termination, with such termination being highly likely for any significant violation.

Consistent with Sprint Nextel's commitment to preserving customers' privacy, the company has implemented a variety of training programs for its employees regarding the

company's policies and employees' obligations to protect customer information. The centerpiece of Sprint Nextel's privacy training is a comprehensive CPNI training program for employees who have access to such data. This program explains Sprint Nextel's legal obligations regarding the access, use, storage, and disclosure of CPNI and discusses the application of the FCC's rules to the company's operations. Both Nextel and Sprint had implemented a CPNI program prior to the merger that included these components and targeted employees who had access to CPNI. Both companies tracked and sent CPNI training reminders to employees who had access to CPNI, as well as to these employees' team manager or supervisor when appropriate and necessary.

Following the merger, Sprint Nextel's Office of Privacy is in the process of preparing enhanced company-wide privacy training for all employees, with certain employee groups required to take more detailed training depending on their job function. CPNI best practices and guidelines will be core components of this training. The Office of Privacy also will use this program to enhance tracking and reinforce employee completion of privacy and security training.

When sharing CPNI with independent contractors and joint venture partners, Sprint Nextel enters into confidentiality agreements which require these parties to protect the information and comply with the law. In negotiating and renewing its contracts since the FCC's amendment and clarification of the CPNI rules in 2002 in particular, Sprint Nextel has required independent contractors and joint venture partners with which it shares CPNI to safeguard this information in a manner that is consistent with the FCC's rules. These contract terms require independent contractors and joint venture partners to have appropriate protections in place to ensure the ongoing confidentiality of the CPNI; limit access to persons who have a need to know such information in connection with the performance of the contract and are bound by specified confidentiality obligations; and restrict the use of CPNI solely to the performance of the contract, in connection with the provisioning and marketing of communications related services and products.

CPNI Notice and Consent Process

Pursuant to the CPNI rules, Sprint Nextel provides its customers with individual notice of their CPNI rights and the company's obligations regarding the protection, use, access and disclosure of CPNI and maintains a record of such notifications. Legacy Sprint, legacy Nextel and the combined company have not used or disclosed CPNI for marketing of non-communications related products and services wherein customer opt-in notice and consent may be applicable. However, they have provided customers with CPNI opt-out notices to enable customers to make informed decisions as to whether to permit the access, use and disclosure of their CPNI to market communications related products and services, and Sprint Nextel has established systems and processes to record and honor customers' opt-out responses as described below.

The multiple operating units of the Sprint organization generally have handled their CPNI notice processes on an individual basis. In 2005, Sprint contemplated centralization to enhance compliance and, as part of the merger integration, Sprint Nextel's Office of Privacy is in the process of consolidating and centralizing CPNI notice and opt-out procedures to improve efficiency and effectiveness. For example, the Office of Privacy recently learned that, rather

than using direct mail to send CPNI notices in welcome kits, certain business units began in late 2005 to email welcome kits to some customers who had expressly consented to receiving information and notices by email. To address the risk that this mode of communication resulted in anomalies in the CPNI notice process, the Office of Privacy has required these business units to mark the relevant accounts as opt-outs during an interim period and to direct mail alternative CPNI notices to these customers pending the Office of Privacy's review and approval of the use of email notices. Similarly, the Office of Privacy has required that all CPNI notices returned as undeliverable be marked as opt-outs.

In mid-2005, Sprint found that some subscribers might not have received proper initial or renewal CPNI notices as of that date. For example, in some instances when a Sprint operating unit sent the CPNI notice as a bill insert, some subscribers might not have received the notice (*e.g.*, if a customer had a zero dollar balance for that billing cycle or if the customer received his or her bill via email). The company resolved this potential problem by resending CPNI notices to these customers and by implementing a process to ensure any future missed bill inserts would trigger an alternative CPNI notice.

Nextel historically has not marketed products and services outside the categories of service to which its customers already subscribe from Nextel (the "Total Service Relationship"). In anticipation of the possibility of future marketing outside the Total Service Relationship, in 2005 Nextel followed procedures consistent with the FCC's rules to solicit its customers' opt-out CPNI consent to market other communications related products and services.

Sprint Nextel subscribers currently receive their initial CPNI notice with their service terms and conditions, in their service welcome or fulfillment kit, or in a bill insert with the initial monthly service invoice. For purposes of providing CPNI opt-out renotification every two years pursuant to the FCC's rules, Sprint has sent the renotification in the form of a bill insert for customers who receive paper bills; a direct mail letter for large business customers; and a direct mail postcard for customers who have electronic billing or, in the case of long distance customers, customers who are billed by the local exchange carrier.

Sprint Nextel provides customers with the ability to opt-out at no cost and effectuate that choice whenever they choose, and Sprint Nextel informs customers of these opt-out methods in their CPNI notices. Sprint provides a toll-free telephone number that is answered by an Interactive Voice Response system ("IVR") 24 hours a day, seven days a week, to capture opt-outs by consumers and small to medium business customers. For large Enterprise and Strategic business customers, Sprint provides opt-out business reply cards and, in many cases, a Sprint representative hand delivers the CPNI opt-out notice directly to the account manager of that business in order to capture that business customer's CPNI preference. Nextel provides its customers with business reply cards to register their opt-outs with the company, but the Office of Privacy also plans to increase utilization of the IVR in the future by allowing these customers to access the IVR to register a CPNI preference.

Office of Privacy review has uncovered potential anomalies in the registration of opt-outs by Sprint's largest business customers – specifically, Strategic customers that spend more than \$1 million per month on telecommunications services, and Enterprise customers that have more than 1000 employees and spend more than \$250 thousand per month. Notwithstanding the

processes described above, the initial CPNI notices provided to these largest business customers together with their negotiated service terms and conditions generally tell these customers that they can register their opt-outs by calling the IVR. Unfortunately, the IVR does not have full capability to register opt-outs for these largest business accounts.

These Strategic and Enterprise customers are highly sophisticated businesses and generally buy most or all of the Sprint buckets of services, such that marketing largely falls within the Total Service Relationship (which does not require opt-out notice and consent). Moreover, given the large size of these accounts, they are handled through (a) dedicated account representatives on the Sprint side and (b) assigned account managers on the customer's side, and these individuals would deal directly with each other to resolve the problem quickly if the customer tried to register opt-out by IVR and was unable to do so. Nevertheless, Sprint Nextel's Office of Privacy is investigating additional solutions to resolve the issue.

Process for Tracking of Customer CPNI Approval

Pursuant to the FCC's rules, Sprint Nextel's electronic billing and operations databases keep a record and provide indicators of its customers' level of CPNI consent to allow employees to establish the status of a customer's CPNI approval prior to any use or disclosure of CPNI that would require customer consent pursuant to the FCC's rules.

In examining the variety of customer databases used by the multiple legacy Sprint operating units in 2005, Sprint noted the risk that some databases did not register every customer into the opt-out group during the interim period available for those customers to respond to opt-out notices. Sprint followed up on these findings by implementing system changes to resolve the problem. In January 2006, Sprint Nextel chose Nextel contractor Amdocs as the provider of the merged company's consolidated billing and customer care platform, thereby moving to replace the various providers that have served the multiple legacy Sprint operating units. Sprint Nextel's Office of Privacy is working to ensure that the new Amdocs customer billing and care platform will register customers in the opt-out category during the interim period for customer response to the CPNI opt-out notice. After the interim period has passed, the system will reclassify customers as appropriate based on their response to the opt-out notice.

Process for Review and Recordkeeping for CPNI Marketing Use and Sharing

Both legacy Sprint and Nextel used a marketing campaign management system for review, approval and record-keeping for outbound marketing campaigns that involve the use or sharing of CPNI and require customer consent under the FCC's rules. The standard process requires the requestor to complete a form that describes the campaign and indicates whether CPNI would be shared and/or used as a selection criteria for the campaign. Once the requestor has completed the form and submitted it for review, the determination whether the activity entails the use or sharing of CPNI and whether such use or sharing requires customer consent is made based on criteria and input from the Campaign Execution and Legal teams. Once the CPNI requirements for a campaign are finalized, they are entered into the relevant electronic databases to generate a segmented lead list for the campaign which excludes customers for which the company's databases indicate the required CPNI consent (if any) is lacking.

The foregoing documents and tools for obtaining supervisory review and approval for the sharing or use of CPNI in outbound marketing campaigns also serve to keep a record of these activities under the FCC's rules.



The FCC Acknowledges Receipt of Comments From ...
Sprint Nextel Corporation
 ...and Thank You for Your Comments

Date Received: Mar 7 2006	
Faction: 05-36	
Number of FDCs Transmitted: 1	
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