Franklin Telephone Company Inc.
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FILED/ACCEPTED
DEC 2 9 2006
Federal Communications Commission
Office of the Secretary
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December 28, 2006

ORIGINAL

Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: EB-06-TC-060/EB Docket No. 06-36
Supplementary CPNI Compliance Certification
Franklin Telephone Co., Inc.

Dear Ms. Dortch:

On February 6, 2006, Franklin Telephone Company, Inc. (the "Company") filed a then-current Customer Proprietary Network Information ("CPNI") Compliance Certification and other materials in the above-referenced proceeding. In that filing, the Company indicated that it would supplement its filing at such time as its internal review was complete. Accordingly, the Company hereby submits the supplementary CPNI Compliance Certification and associated materials attached hereto.

The undersigned may be contacted should you have any questions or require additional information.

Respectfully submitted,

James H. Creekmore, Sr.
Vice President

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CERTIFICATION

The undersigned attests and certifies as follows:

1. I am a corporate officer of Franklin Telephone Company, Inc. (the "Company").

2. I have personal knowledge that the Company has established and implemented policies and procedures consistent with accompanying "Operating Guidelines" in order to ensure compliance with the Rules and Regulations of the Federal Communications Commission regarding Customer Proprietary Network Information ("CPNI").

3. By having maintained procedures and practices that are consistent with the attached "Operating Guidelines," our Company ensures compliance with the applicable Rules and Regulations.

This information regarding the Company and the Operating Guidelines that the Company has adopted in order to ensure compliance with the Rules set forth at 47 C.F.R. Section 64.2001 *et seq.*, is true and accurate to the best of my knowledge, information, and belief.

James H Creekmore

Signature

James H. Creekmore, Sr.

Name

Vice President

Title

12/28/06

Date

Franklin Telephone Company, Inc.

Company Operating Guidelines Relating to Customer Proprietary Network Information

I. Introduction.

These Operating Guidelines relating to Customer Proprietary Network Information ("CPNI") are intended to ensure the compliance by Franklin Telephone Company, Inc. (the "Company") with the Communications Act of 1934, as amended, and related regulations regarding CPNI that have been adopted by the Federal Communications Commission ("FCC"). Accordingly, from time to time, these guidelines may change based on changes in the governing law or FCC regulations.

CPNI, according to federal law, is (a) information that relates to the quantity, technical configuration, type, destination, location, and amount of use of a telecommunications service subscribed to by any customer of the Company, and that is made available to the Company by the customer solely by virtue of the Company-customer relationship; and (b) information contained in the bills pertaining to telephone exchange service or telephone toll service received by a customer of the Company. This type of information includes personal information such as: the telephone numbers called by a customer; the length of phone calls; and services purchased by a customer, such as call waiting.

Federal law also contemplates data referred to as "customer information" and "subscriber list information." These types of data do not involve personal, individually-identifiable information. Aggregate customer information is data that relates to a group or category of customers from which individual customer identities and characteristics have been removed; subscriber list information is data such as subscriber names, addresses, and telephone numbers. The Company's Operating Guidelines address only federal regulations that are applicable to CPNI.

In accordance with federal law, the Company may use, disclose, or permit access to CPNI in its provision of (a) the telecommunications service from which such information is derived, or (b) services necessary to, or used in the provision of that telecommunications service, including the publication of telephone directories.

The Company may obtain approval by the customer to access and use CPNI through either "Opt-out" or "Opt-in" methods. Once a customer's approval is received, the Company may use CPNI, or disclose CPNI to its affiliates that provide telecommunications-related services, or to third-party agents or joint venture partners that provide telecommunications services. The Company may disclose CPNI to unrelated third parties or affiliated entities that do not provide communications services only if the Company consents via the "Opt-in" method. The "Opt-in" and "Opt-out" methods are described below in Sections IV.D and IV.E.

II. Limitations on Company Use of CPNI.

It is the general policy of the Company to not use CPNI. If, however, CPNI is used, then the use of CPNI by the Company will be only in accordance with the following guidelines.

A. Scope of Use

The Company may use, disclose, or permit access to CPNI for the purpose of providing or marketing service offerings among the categories of service (*i.e.*, local, interexchange, and CMRS) to which our customer already subscribes without customer approval.

If a customer subscribes to more than one category of service offered by our Company, then the Company may share CPNI among our affiliated entities that provide a service offering to the customer.

If a customer does not subscribe to more than one offering of our Company, then the Company will not share that customer's CPNI with its affiliates, except in accordance with the Opt-out and Opt-in procedures described below (Sections IV.D and IV.E, below).

B. Permitted and Non-Permitted Use of CPNI by the Company

The Company will not use, disclose, or permit access to CPNI to market to a customer service offerings that are within a category of service to which the subscriber does not already subscribe from our Company, unless the Company has obtained the customer's approval to do so. The Company may use CPNI without customer consent only in accordance with Section II.C, below.

The Company does not use, disclose or permit access to CPNI to identify or track customers that call competing service providers. For example, customer service representatives and other Company personnel may not use local service CPNI to track all customers that call local service competitors.

C. Use of CPNI without Customer Approval

The Company may use, disclose, or permit access to CPNI, without customer approval, only as described below.

If the Company provides Commercial Mobile Radio Service ("CMRS"), then the Company may use, disclose, or permit access to CPNI derived from its provision of CMRS, and may do so without customer approval for the provision of CPE and information service(s).

Similarly, the Company may use, disclose or permit access to CPNI derived from its provision of local exchange service and may do so without customer approval for the provision of CPE and call answering, voice mail or messaging, voice storage and retrieval services, fax store and forward, and protocol conversion.

Finally, if the Company provides interexchange services (typically referred to as "long distance" service), the Company may use, disclose or permit access to CPNI derived from its provision of interexchange service and may do so without customer approval for the provision of CPE and call answering, voice mail or messaging, voice storage and retrieval services, fax store and forward, and protocol conversion.

The Company may use, disclose, or permit access to CPNI, without customer approval, in its provision of inside wiring installation, maintenance, and repair services.

Where applicable, the Company may use, disclose, or permit access to the CPNI of its CMRS customers for the purpose of conducting research on the health effects of CMRS.

Where applicable, the local exchange company (LEC) and/or CMRS affiliates of the Company may use CPNI, without customer approval, to market services formerly known as adjunct-to-basic services, such as, but not limited to, speed dialing, computer-provided directory assistance, call monitoring, call tracing, call blocking, call return, repeat dialing, call tracking, call waiting, caller I.D., call forwarding, and certain Centrex features.

The Company may use, disclose, or permit access to CPNI to protect the rights or property of the Company, or to protect users of those services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, such services.

III. Approval Required for Use of CPNI.

A. General Policies Regarding Customer Approvals to Use CPNI

The Company may obtain a customer's approval to use CPNI through written, oral or electronic methods.

If the Company relies upon a customer's oral approval, then the Company will bear the burden of demonstrating that such approval was given in compliance with applicable FCC rules.

The customer's approval or disapproval to use, disclose, or permit access to that customer's CPNI shall remain in effect until the customer revokes or limits such approval or disapproval.

The Company will maintain records of approval, whether oral, written or electronic, for at least one year.

B. Use of CPNI Where Customer Approval is Received

The Company may use either "Opt-out" or "Opt-In" approval processes as provided for in applicable FCC regulations in order to use a customer's CPNI. These approval processes are described in Sections IV.D and IV.E, below,

Where approval for the use of CPNI is received by the Company from the customer, the Company may use a customer's individually identifiable CPNI for the purpose of marketing communications-related services to that customer. Likewise, where this approval is received, the Company may also disclose a customer's individually identifiable CPNI for the purpose of marketing communications-related services to that customer; its agents; its affiliates that provide communications-related services; and its joint venture partners and independent contractors. Further, where approval has been received by the customer of the use by the Company of his/her CPNI, the Company may also permit such persons or entities to obtain access to such CPNI for such purposes.

In the event that the Company discloses or provides access to CPNI to its joint venture partners or independent contractors, the Company shall first enter into confidentiality agreements with those independent contractors or joint venture partners. The confidentiality agreements shall:

1. Require that the independent contractor or joint venture partner use the CPNI only for the purpose of marketing or providing the communications-related services for which that CPNI has been provided;

2. Disallow the independent contractor or joint venture partner from using, allowing access to, or disclosing the CPNI to any other party, unless required to make such disclosure under force of law; and

3. Require that the independent contractor or joint venture partner has appropriate protections in place to ensure the ongoing confidentiality of consumers' CPNI.

Except for use and disclosure of CPNI that is permitted without customer approval as described in Section II, above, or via an Opt-in or Opt-out authorization described in Sections IV.D. and IV.E, below, (*i.e.*, to provide CPNI to affiliated entities that provide communications-related services, or third-party agents or joint venture partners providing communications-related services), the Company may only use, disclose, or permit access to its customers' individually identifiable CPNI subject to Opt-in approval.

IV. Notice Required for Use of CPNI.

A. General Requirement

The Company shall provide notification to the customer of the customer's right to restrict use of, disclosure of, and access to that customer's CPNI prior to any solicitation for customer approval.

The Company will maintain records of notification, whether oral, written or electronic, for at least one year.

B. Individual Notice Under Certain Circumstances

The Company shall provide individual notice to customers when soliciting approval to use, disclose, or permit access to customers' CPNI.

C. Elements that Shall be Included in any Customer Notice

The customer notification shall provide sufficient information to enable the customer to make an informed decision as to whether to permit the Company to use, disclose, or permit access to, the customer's CPNI. The Company's notification will include the following:

1. The notification shall state that the customer has a right, and the Company has a duty, under federal law, to protect the confidentiality of CPNI;

2. The notification shall 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;

3. The notification shall advise the customer of the precise steps the customer must take in order to grant or deny access to CPNI, and must state clearly that a denial of approval will not affect the provision of any services to which the customer subscribes. However, the Company may provide a brief statement, in clear and neutral language, describing consequences directly resulting from the lack of access to CPNI, *i.e.*, that the Company may be unable to market to the customer products and services tailored to the customer's needs;

4. The notification shall be comprehensible and shall not be misleading;

5. If written notification is provided, then the notice shall be clearly legible, use sufficiently large type, and be placed in an area so as to be readily apparent to a customer;

6. If any portion of a notification is translated into another language, then all portions of the notification shall be translated into that language;

7. The Company may state in the notification that the customer's approval to use CPNI may enhance the Company's ability to offer products and services tailored to the customer's needs. The Company also may state in the notification that it may be compelled to disclose CPNI to any person upon affirmative written request by the customer;

8. The Company shall not include in the notification any statement attempting to encourage a customer to freeze third-party access to CPNI;

9. The notification shall state that any approval or denial of approval for the use of CPNI outside of the service to which the customer already subscribes from the Company is valid until the customer affirmatively revokes or limits such approval or denial; and,

10. The Company's solicitation for approval must be proximate to the notification of a customer's CPNI rights.

D. Opt-out Approval

"Opt-out approval" is a method for obtaining customer consent to use, disclose, or permit access to the customer's CPNI. Under this approval method, a customer is deemed to have consented to the use, disclosure, or access to the customer's CPNI if the customer has failed to object to the Company's use of the customer's CPNI after the customer is provided appropriate notification of the Company's request for consent that is provided in a manner consistent with the applicable federal rules and these Operating Guidelines.

The Company may provide a customer notification to obtain her/his Opt-out approval through electronic or written methods. Except as provided in Section IV.F, below, the Company may not provide a customer notification to obtain her/his Opt-out approval through oral communication.

The contents of any such notification shall comply with the standards described in Section IV.C, above. The Company may use Opt-out approval to obtain a customer's consent to share CPNI among the Company's affiliates.

Where the Company elects to use the Opt-out approval process, the Company shall wait 30-days (or in its discretion a longer period of time) after giving customers such notice and an opportunity to Opt-out before

assuming customer approval to use, disclose, or permit access to CPNI. In all events, the Company shall notify customers as to the applicable waiting period for a response before approval is assumed.

If the Company uses an electronic form of notification, then the waiting period shall begin to run from the date on which the notification was sent.

If the Company sends notification by mail, then the waiting period shall begin to run on the third day following the date that the notification was mailed.

If the Company uses Opt-out notification, then the Company will provide notices to its customers every two years.

If the Company uses e-mail to provide Opt-out notices, then it will comply with the following federal requirements, in addition to the requirements generally applicable to notification:

1. The Company will obtain express, verifiable, prior approval from consumers to send notices via e-mail regarding their service in general, or CPNI in particular;

2. The Company will allow customers to reply directly to e-mails containing CPNI notices in order to Opt-out;

3. If an Opt-out e-mail notice is returned to the Company as undeliverable, then it will be sent to the customer in another form before the Company will consider the customer to have received notice;

4. The Company will ensure that the subject line of e-mail messages containing CPNI notices will identify clearly and accurately the subject matter of the e-mail; and

5. The Company will 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. The Company may satisfy this requirement through a combination of methods, so long as all customers have the ability to Opt-out at no cost and are able to effectuate that choice whenever they choose.

E. Opt-in Approval

"Opt-in approval" is a method for obtaining customer consent to use, disclose, or permit access to the customer's CPNI. This approval method requires that the Company obtain from the customer affirmative, express consent allowing the requested CPNI usage, disclosure, or access after the customer is provided appropriate notification of the Company's request consistent with applicable Federal regulations as reflected in these Operating Guidelines. The Company may provide notification to obtain Opt-in approval through oral, written, or electronic methods. The contents of any such notification must comply with the standards of Section IV.C, above.

F. One-Time Use of CPNI

The Company 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, regardless of whether the Company uses Opt-out or Opt-in approval based on the nature of the contact.

The contents of any such notification must comply with the requirements of Section IV.C, above, except that the Company may omit any of the following notice provisions if not relevant to the limited use for which the Company seeks CPNI:

1. The Company need not advise customers that if they have opted-out previously, no action is needed to maintain the Opt-out election;

2. If the Company's limited CPNI usage will not result in use by, or disclosure to, an affiliate or third party, then the Company need not advise customers that the Company may share their CPNI with the Company's affiliates or third parties and need not name those entities,

3. The Company need not disclose the means by which a customer can deny or withdraw future access to CPNI, but the Company must then explain to customers that the scope of the approval the Company seeks is limited to one-time use; and

4. If the Company communicates clearly that the customer can deny access to his CPNI for the call, then the Company may omit disclosure of the precise steps a customer must take in order to grant or deny access to CPNI.

V. Company Safeguards for Use of CPNI.

A. Approval System

The Company shall implement a system by which the status of a customer's CPNI approval can be clearly established prior to the use of that Company's CPNI.

B. Training

The Company shall train its personnel as to when they are and are not authorized to use CPNI, and the Company shall have an express disciplinary process in place.

C. CPNI Coordinator

The Company shall appoint a CPNI Coordinator who will supervise implementation and adherence to these Operating Guidelines.

D. Records

The Company shall maintain a record, electronically or in some other manner, of its own and its affiliates' sales and marketing campaigns that use its customers' CPNI. The Company shall maintain a record of all instances where CPNI was disclosed or provided to third parties, or where third parties were allowed access to CPNI. This record shall 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. The Company shall retain the record for a minimum of one year.

E. Supervision of Compliance

The Company shall establish a supervisory review process regarding its compliance with federal regulations regarding outbound marketing situations and maintain records of its compliance for at least one year. Sales personnel shall obtain supervisory approval of any proposed outbound marketing request for customer approval.

F. Compliance Certification

An officer, as an agent of the Company, shall sign a compliance certificate on an annual basis stating that the officer has personal knowledge that the Company has established operating procedures that are adequate to ensure compliance with federal CPNI regulations. The Company shall include with the certification a statement explaining how the Company's operating procedures ensure that it is or is not in compliance with the rules in this subpart.

G. Notice of Non-Compliance

The Company shall provide to the FCC written notice within five business days 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 will include the Company's name, a description of the Opt-out mechanism(s) used, the problem(s) experienced, the remedy proposed and when the Company will/did implement it, 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. The Company shall provide such notice even if the Company offers other methods by which consumers may Opt-out, and only one of those methods was affected.

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Franklin Telephone Company, Inc.
STATEMENT OF COMPANY POLICY

When referred to in the guidelines set forth below, "Company," "we," or "us" refers to and includes all employees, associates, and agents of Franklin Telephone Company, Inc.

Franklin Telephone Company, Inc. (the "Company") has a duty to protect the confidential, Customer Proprietary Network Information ("CPNI") of our customers, other telecommunications carriers, and equipment manufacturers. Therefore, the following guidelines shall be followed by all employees and agents of the Company:

CPNI is any information that relates to the quantity, technical configuration, type, destination, and amount of use of a telecommunications service subscribed to by any customer of a telecommunications carrier, and that is made available to the carrier by the customer solely by virtue of the carrier-customer relationship. CPNI also includes information contained in the bills pertaining to the telephone exchange service or telephone toll service received by a customer of a carrier.

! Proprietary information of our customers, other telecommunications carriers, and equipment manufacturers is protected by Federal law.

! CPNI which the Company obtains from another carrier for the purpose of providing a particular telecommunications service may be used only for the provision of that service, and may not be used for any otherwise unrelated marketing efforts.

! Individually identifiable CPNI that we obtain by providing a telecommunications service may be used, disclosed, or released ***only*** in the circumstances as set forth in the Company's CPNI Operating Guidelines.

The release of any CPNI by sales personnel must be authorized by a supervisor.

The Company takes seriously the protection of our customers' CPNI, and in accordance with 47 C.F.R. §64.2009 will be subject to disciplinary review for violation of the policies set forth above. Please contact your supervisor if you have any questions or require additional information.