American Messaging Services, LLC
ANNUAL SECTION 64.2009(E) CERTIFICATION
EB Docket No. 06-36

Annual 64.2009(e) CPNI Certification for Calendar Year 2007

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Name of signatory: J. Roy Pottle

Title of signatory: Chairman and CEO

I, J. Roy Pottle, hereby certify that I am a duly authorized officer of **American Messaging Services, LLC**, and, acting as an agent of American Messaging Services, LLC, that I have personal knowledge that **American Messaging Services, LLC** has established operating procedures that are adequate to ensure compliance with the rules of the Federal Communications Commission, codified at 47 C.F.R. Part 64 Subpart U, implementing Section 222 of the Communications Act of 1934, as amended.

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any actions against data brokers in the past year. The company has no additional information to report regarding the processes pretexters are using to attempt to access CPNI beyond what the Commission has been notified of already.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

J. Roy Pottle
Chairman and CEO
American Messaging Services, LLC

STATEMENT REGARDING OPERATING PROCEDURES
IMPLEMENTING 47 C.F.R. PART 64 SUBPART U
GOVERNING USE OF
CUSTOMER PROPRIETARY NETWORK INFORMATION (CPNI)
FEBRUARY 29, 2008

The following statement explains how the operating procedures of **American Messaging Services, LLC** ("American Messaging") ensure that it is in compliance with the Commission's CPNI rules, as codified at 47 C.F.R. Part 64 Subpart U and is relevant to calendar year 2007. Except as otherwise indicated, the following applies with respect to the Commission's rules in effect both before and after the December 8, 2007 effective date of the Commission's April 2, 2007 Report and Order in CC Docket No. 96-115. *See* FCC 07-22 (rel. Apr. 2, 2007); Public Notice, DA 07-4915 (rel. Dec. 6, 2007). This statement covers calendar year 2007.

I. Use of customer proprietary network information without customer approval.

A. American Messaging may use, disclose, or permit access to CPNI for the purpose of providing or marketing service offerings among the categories of service to which the customer already subscribes from American Messaging, without customer approval.

American Messaging presently offers CMRS to its customers.

B. American Messaging may 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 American Messaging, unless American Messaging has customer approval to do so, except as described in Section I.C.

(1) American Messaging may use, disclose or permit access to CPNI derived from its provision of CMRS, without customer approval, for the marketing and provision of CMRS, CPE and information services.

(2) American Messaging may not use, disclose or permit access to CPNI to identify or track customers that call competing service providers.

American Messaging may not use CMRS CPNI to track all customers that call CMRS competitors.

C. American Messaging may use, disclose, or permit access to CPNI, without customer approval, as follows:

(1) American Messaging may use, disclose, or permit access to CPNI, in its provision of inside wiring installation, maintenance, and repair services.

(2) American Messaging may use, disclose, or permit access to CPNI for the purpose of conducting research on the health effects of commercial mobile radio services ("CMRS").

(3) American Messaging may use CPNI 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.

D. American Messaging may use, disclose, or permit access to CPNI to protect American Messaging's rights or property; to protect its users and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, American Messaging's services; and to render, provision, bill or collect for services.

American Messaging does not presently use, disclose, or permit access to individually identifiable CPNI in order to market services to its customers outside a customer's total services, and its policies restrict such use of CPNI for such purposes other than the marketing of CMRS and related CPE and information services.

II. Approval required for use of customer proprietary network information.

A. American Messaging may obtain customer approval through written, oral or electronic methods.

(1) Where American Messaging obtains oral approval, it bears the burden of demonstrating that such approval has been given in compliance with the FCC's rules.

(2) A customer's approval or disapproval obtained by American Messaging to use, disclose, or permit access to the customer's CPNI the use of CPNI outside of the customer's total service relationship with American Messaging will remain in effect until the customer revokes or limits such approval or disapproval.

(3) American Messaging must maintain records of notification and approval, whether oral, written or electronic, for at least one year.

B. Use of Opt-Out and Opt-In Approval Processes.

(1) Except where use, disclosure, or access to CPNI is otherwise permitted without prior customer consent (as described above), American Messaging only uses, discloses or permits access to CPNI upon opt-out or opt-in approval, consistent with Section 64.2007 of the Commission's rules and, by December 8, 2007, with the Commission's amended rules.

(2) Except for use and disclosure of CPNI that is permitted without customer approval under Section I, or that is described Section II.B, or as otherwise provided in section 222 of the Communications Act of 1934, as amended, American Messaging may only use, disclose, or permit access to its customer's individually identifiable CPNI subject to opt-in approval.

With respect to the requirements of Sections II and III of this statement, American Messaging does not presently use, disclose, or permit access to individually identifiable CPNI in order to market services to its customers outside a customer's total services. Should the

company decide in the future to use, disclose, or permit access to CPNI in a manner that requires prior customer approval, we will comply with the applicable notice and consent requirements of the FCC's rules.

III. Notice required for use of customer proprietary network information.

A. Notification, Generally.

(1) Prior to any solicitation for customer approval, American Messaging must provide notification to the customer of the customer's right to restrict use of, disclosure of, and access to that customer's CPNI.

(2) American Messaging must maintain records of notification, whether oral, written or electronic, for at least one year.

B. Individual notice to customers must be provided when soliciting approval to use, disclose, or permit access to customers' CPNI.

C. Content of Notice.

Customer notification must provide sufficient information to enable the customer to make an informed decision as to whether to permit American Messaging to use, disclose, or permit access to, the customer's CPNI.

(1) The notification must state that the customer has a right, and American Messaging has a duty, under federal law, to protect the confidentiality of CPNI.

(2) The notification must 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 must advise the customer of the precise steps the customer must take in order to grant or deny access to CPNI, and must clearly state that a denial of approval will not affect the provision of any services to which the customer subscribes. However, American Messaging may provide a brief statement, in clear and neutral language, describing consequences directly resulting from the lack of access to CPNI.

(4) The notification must be comprehensible and must not be misleading.

(5) If written notification is provided, the notice must 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 must be translated into that language.

(7) American Messaging may state in the notification that the customer's approval to use CPNI may enhance American Messaging's ability to offer products and services tailored to the customer's needs. American Messaging 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) American Messaging may not include in the notification any statement attempting to encourage a customer to freeze third-party access to CPNI.

(9) The notification must state that any approval or denial of approval for the use of CPNI outside of the service to which the customer already subscribes from American Messaging is valid until the customer affirmatively revokes or limits such approval or denial.

(10) American Messaging's solicitation for approval must be proximate to the notification of a customer's CPNI rights.

D. Notice Requirements Specific to Opt-Out.

American Messaging must provide notification to obtain opt-out approval through electronic or written methods, but not by oral communication (except as provided in paragraph F of this section). The contents of any such notification must comply with the requirements of paragraph C of this section.

(1) American Messaging must wait a 30-day (33-day if by mail) minimum period of time after giving customers notice and an opportunity to opt-out before assuming customer approval to use, disclose, or permit access to CPNI. American Messaging may, in its discretion, provide for a longer period. American Messaging must notify customers as to the applicable waiting period for a response before approval is assumed.

(i) In the case of an electronic form of notification, the waiting period shall begin to run from the date on which the notification was sent; and

(ii) In the case of notification by mail, the waiting period shall begin to run on the third day following the date that the notification was mailed.

(2) Insofar as American Messaging is using the opt-out mechanism, it must provide a Notice to its customers every two years.

(3) If American Messaging uses e-mail to provide opt-out notices, it must comply with the following requirements in addition to the requirements generally applicable to notification:

(i) American Messaging must obtain express, verifiable, prior approval from consumers to send notices via e-mail regarding its service in general, or CPNI in particular;

(ii) American Messaging must allow customers to reply directly to e-mails containing CPNI notices in order to opt-out;

(iii) Opt-out e-mail notices that are returned to American Messaging as undeliverable must be sent to the customer in another form before American Messaging may consider the customer to have received notice;

(iv) American Messaging must ensure that the subject line of the message clearly and accurately identifies the subject matter of the e-mail; and

(v) American Messaging must 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. American Messaging 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. Notice Requirements Specific to Opt-In.

American Messaging may provide notification to obtain opt-in approval through oral, written, or electronic methods. The contents of any such notification must comply with the requirements of paragraph C of this section.

F. Notice Requirements Specific to One-Time Use of CPNI.

(1) American Messaging 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 American Messaging uses opt-out or opt-in approval based on the nature of the contact.

(2) The contents of any such notification must comply with the requirements of paragraph C of this section, except that American Messaging may omit any of the following notice provisions if not relevant to the limited use for which American Messaging seeks CPNI:

(i) American Messaging need not advise customers that if they have opted-out previously, no action is needed to maintain the opt-out election;

(ii) American Messaging need not advise customers that they may share CPNI with their affiliates or third parties and need not name those entities, if the limited CPNI usage will not result in use by, or disclosure to, an affiliate or third party;

(iii) American Messaging need not disclose the means by which a customer can deny or withdraw future access to CPNI, so long as American Messaging explains to customers that the scope of the approval American Messaging seeks is limited to one-time use; and

(iv) American Messaging may omit disclosure of the precise steps a customer must take in order to grant or deny access to CPNI, as long as American Messaging clearly communicates that the customer can deny access to his CPNI for the call.

With respect to the requirements of Sections II and III of this statement, American Messaging does not presently use, disclose, or permit access to individually identifiable CPNI in order to market services to its customers outside a customer's total services. Should the company decide in the future to use, disclose, or permit access to CPNI in a manner that requires prior customer approval, we will comply with the applicable notice and consent requirements of the FCC's rules.

IV. Safeguards required for use and disclosure of customer proprietary network information.

A. American Messaging must implement a system by which the status of a customer's CPNI approval can be clearly established prior to the use of CPNI.

With respect to this requirement, American Messaging does not presently use, disclose, or permit access to individually identifiable CPNI in order to market services to its customers outside a customer's total services. Should the company decide in the future to use, disclose, or permit access to CPNI in a manner that requires prior customer approval, we will comply with this requirement of the FCC's rules.

B. Effective December 8, 2007, American Messaging may release call detail information during a customer initiated telephone contact only if reasonable authentication procedures are complied with and (1) the customer provides American Messaging with a pre-established password, (2) American Messaging, at the customer's request, sends the call detail information to the customer's address of record provided the address of record has been associated with the account for at least thirty (30) days, or (3) when American Messaging calls the telephone number of record to disclose the call detail information. American Messaging is permitted to create a back-up customer authentication method for lost or forgotten passwords. American Messaging is also prohibited from releasing call detail information during a retail visit without the appropriate password or valid photo identification.

However, if the during a customer-initiated telephone contact, the customer is able to provide without assistance from American Messaging personnel all of the call detail information necessary to address a customer service issue (i.e., the telephone number called, when it was called, and if applicable the amount charged for the call), then American Messaging personnel are permitted to proceed with its routine customer care procedures.

American Messaging does not compile call detail information transmitted to a local paging switch, nor can it trace pages through our systems. American Messaging thus does not maintain or provide call detail information of any sort. For non-call detail CPNI, American Messaging authenticates the account through a standard verification process by obtaining the customers account number and or pager number prior to proceeding with the call.

C. Not later than June 8, 2008, American Messaging must authenticate a customer without readily available biographical or account information prior to allowing the customer on-line access to CPNI related telecommunication service account. Once authenticated, the customer may only obtain on-line access to CPNI related telecommunications service account through a password.

American Messaging requires all new customers establishing on-line access to provide account number, billing zip code and their pager number to authenticate a customer prior to allowing first time customer's access online to their account. A password is established at the initial on-line activation process and is a required field for all future visits.

D. Effective December 8, 2007, American Messaging is required to notify customers immediately when a password or back-up means of authentication for lost or forgotten passwords, on-line account, or address of record is created or changed. Such notification is not required when the customer initiates service, including the selection of a password.

American Messaging complies with this requirement by notifying the customers by mail to the address of record of all such account information changes.

E. Business customers are exempt from the password requirements which became effective December 8, 2007, if: (i) American Messaging is contractually bound by the customer agreement, (ii) the customer is serviced by a dedicated American Messaging account representative as the primary contact, and (iii) the contract specifies American Messaging's CPNI obligations. If, at any point, the business customer must go through a call center to reach a customer service representative, then the exemption does not apply.

American Messaging's policies comply with this requirement.

F. American Messaging must train its personnel as to when they are and are not authorized to use CPNI, and American Messaging must have an express disciplinary process in place.

American Messaging provides on the job training as well as documentation explaining the CPNI rules and instructing personnel on appropriate call handling procedures. Company policy provides that any employee found in violation of American Messaging's CPNI policy will be subject to disciplinary action, up to and including termination of employment.

G. American Messaging must maintain a record, electronically or in some other manner, of its own and its affiliates' sales and marketing campaigns that use its customers' CPNI. American Messaging 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. The record must 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. American Messaging shall retain the record for a minimum of one year.

American Messaging does have established procedures for compliance with the FCC's CPNI rules for use and disclosure of CPNI in outbound marketing situations and related record keeping.

H. American Messaging must establish a supervisory review process regarding its compliance with the FCC's CPNI rules for outbound marketing situations and maintain records of its compliance for a minimum period of one year. Specifically, sales personnel must obtain supervisory approval of any proposed outbound marketing request for customer approval.

American Messaging does have established supervisory review procedures for compliance with the FCC's CPNI rules for outbound marketing situations and record keeping. Further, American Messaging will comply with those policies should it seek to obtain any required customer approval in situations where such approval is required.

I. Effective December 8, 2007, American Messaging must take reasonable measures to discover and protect against attempts to gain unauthorized access to CPNI, which may include encryption of its databases. American Messaging must properly authenticate a customer prior to disclosing CPNI based on a customer-initiated telephone contact, on-line account access, or an in-store visit.

American Messaging has taken measures to protect CPNI stored in its internal databases from potential unauthorized access, and will evaluate and increase its security measures should it discover an increase in attempts to gain access to unauthorized information. American Messaging does not maintain or provide call detail information in any format, and for other CPNI requires customer initiated telephone contacts to go through a verification process asking for their pager number and or account number, along with a password if applicable to the account. American Messaging requires a password, customer's account and email address for all online access to account information.

J. American Messaging must provide written notice within five business days to the FCC 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.

(1) The notice shall be in the form of a letter, and shall include American Messaging's name, a description of the opt-out mechanism(s) used, the problem(s) experienced, the remedy proposed and when it will be/was implemented, 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.

(2) Such notice must be submitted even if American Messaging offers other methods by which consumers may opt-out.

With respect to this requirement, American Messaging does not presently use, disclose, or permit access to individually identifiable CPNI in order to market services to its customers outside a customer's total services. Should the company decide in the future to use, disclose, or

permit access to CPNI in a manner that requires opt-out customer approval, we will comply with this requirement of the FCC's rules.

K. Effective December 8, 2007, American Messaging has a general duty to first inform federal law enforcement agencies, followed up by notification to affected customers, after reasonable determination of a breach of its customers' CPNI.

(1) American Messaging must file an electronic notification to the United States Secret Service (USSS) and the Federal Bureau of Investigation (FBI) within seven (7) business days through the central reporting facility furnished by the Commission.

(2) American Messaging is prohibited from notifying customers or the general public of the breach until seven (7) business days have passed after notification to the USSS and FBI unless under certain specified circumstances: (a) American Messaging identifies an "extraordinary need to notify customers" before that period or (b) an ongoing or potential investigation or national security requires customer disclosure to be potentially delayed for up to thirty (30) days. American Messaging must notify the affected customer(s) after the applicable period.

(3) American Messaging must maintain a record, whether electronically or in some other manner of any breaches discovered, notifications made to the USSS or FBI and notifications made to customers. The record must include, if available, dates of discovery and notification, a detailed description of the CPNI that was the subject of the breach, and the circumstances of the breach. Records must be maintained for a two (2) year period.

American Messaging's policies and procedures comply with these breach tracking and notification processes.

V. Supplemental Information

Effective December 8, 2007, the FCC's rules require that the annual certification filed pursuant to 47 C.F.R. § 64.2009(e) disclose any actions taken against data brokers and a summary of all consumer complaints received in the previous calendar year regarding the unauthorized release of CPNI. A list of actions taken against data brokers (if any) during the prior calendar year, as well as a summary of all consumer complaints received in that period (if any), are attached, together with information regarding pretexters' processes for attempting to access CPNI and steps taken to protect CPNI from pretexters.

ATTACHMENT

ACTIONS TAKEN AGAINST DATA BROKERS IN 2007

Forum	Description of Action(s)
Court	None
State Commissions	None
FCC	None

SUMMARY OF CUSTOMER COMPLAINTS CONCERNING UNAUTHORIZED RELEASE OF CPNI IN 2007

Nature of Complaint	Total Number
Improper Access by Employees	None
Improper Disclosure to Unauthorized Individuals	None
Improper Access to Online Information by Unauthorized Individuals	None
Other	None

PRETEXTERS' ATTEMPTS TO ACCESS CPNI AND STEPS TO PROTECT CPNI FROM PRETEXTERS

American Messaging has no additional information beyond what has already been reported to the FCC and to Congress with respect to pretexters' practices. As reported in the foregoing statement, American Messaging has timely achieved compliance with the FCC's rules adopted in its April 2007 Order.