Gary N. Smith & Donald M. Westley
1840 Kutztown Road
Reading, PA 19604

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

Re: **Annual 47 C.F.R. § 64.2009(c) CPNI Certification for 2007**
EB Docket No. 06-36

Form 499 Filer ID: 817716

CERTIFICATION

I, Gary N. Smith, hereby certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures effective during the calendar year 2007 that are adequate to ensure compliance with the Customer Proprietary Network Information rules set forth in 47 C.F.R. §§ 64.2001 *et seq.* of the rules of the Federal Communications Commission.

Attached to this certification is an accompanying statement that (i) explains how the company's procedures ensure that the company is in compliance with the requirements set forth in 47 C.F.R. §§ 64.2001 *et seq.* of the rules, (ii) explains any actions taken against data brokers during the past year, (iii) summarizes all customer complaints received in the past year concerning the unauthorized release of CPNI and (iv) reports information known to the company regarding tactics pretexters may be using to attempt access to CPNI.

Gary N. Smith

Name: Gary N. Smith
Title: Partner
Date: 2/23/2008

Gary N. Smith & Donald M. Westley
FCC 499 Filer ID 817716
CPNI Certification

STATEMENT

Gary Smith & Donald Westley ("Carrier") has established operating procedures that ensure compliance with the Federal Communication Commission ("Commission") regulations regarding the protection of customer proprietary network information ("CPNI").

- Carrier has implemented a system whereby the status of a customer's CPNI approval can be determined prior to the use of CPNI.

- Carrier continually educates and trains its employees regarding the appropriate use of CPNI. Carrier has established disciplinary procedures should an employee violate the CPNI procedures established by Carrier.

- Carrier maintains a record of its and its affiliates' sales and marketing campaigns that use its customers' CPNI. Carrier also maintains a record of any and all instances where CPNI was disclosed or provided to third parties, or where third parties were allowed access to CPNI. The record includes 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.

- Carrier has established a supervisory review process regarding compliance with the CPNI rules with respect to outbound marketing situations and maintains records of carrier compliance for a minimum period of one year. Specifically, Carrier's sales personnel obtain supervisory approval of any proposed outbound marketing request for customer approval regarding its CPNI, and a process ensures that opt-out elections are recorded and followed.

- Carrier took the following actions against data brokers in 2007, including proceedings instituted or petitions filed by Carrier at a state commission, in the court system, or at the Federal Communications Commission: **None**

- The following is information Carrier has with respect to the processes pretexters are using to attempt to access CPNI, and [if any] what steps carriers are taking to protect CPNI: **Carrier has determined that no pretexter has attempted to access CPNI on Carrier's system.**

- The following is a summary of all customer complaints received in 2007 regarding the unauthorized release of CPNI:
  - Number of customer complaints Carrier received in 2007 related to unauthorized access to CPNI, or unauthorized disclosure of CPNI: **None**
  - Category of complaint:
    - **0** Number of instances of improper access by employees
    - **0** Number of instances of improper disclosure to individuals not authorized to receive the information
    - **0** Number of instances of improper access to online information by individuals not authorized to view the information
    - **0** Number of other instances of improper access or disclosure
  - Description of instances of improper access or disclosure: **None**