



## **International Telecom, Inc. CPNI Certification**

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**Annual 47 C.F.R. § 64.2009(e) CPNI Certification**

**EB Docket 06-36**

Annual 64.2009(e) CPNI Certification for 2009

Date filed: 02-16-2009

Name of company covered by this certification: International Telecom, Inc.

Form 499 Filer ID: 801144

Name of signatory: Michael Fetko Jr

Title of signatory: Vice President

ITI and its employees are prohibited from sharing customer's information to any other third party. ITI does not provide customers with ability to view their invoices over the internet using a login username and password at this time. Since 1991 thru today, ITI has not, nor intends sell or allow data brokers information to our client's database. Anyone caught sharing of database information by any employee will be reported to law enforcement, the FBI and United States Secret Service.

I, Michael Fetko Jr, 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 that are adequate to ensure compliance with the Commission's CPNI rules. *See 47 C.F.R. § 64.2001 et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company [is/ is not] in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year. Companies must report on any information that they have with respect to the processes pretexters are using to attempt to access CPNI, and what steps companies are taking to protect CPNI.

If affirmative: n/a

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI (number of customer complaints a company has received related to unauthorized access to CPNI, or unauthorized disclosure of CPNI, broken down by category or complaint, *e.g.*, instances of improper access by employees, instances of improper disclosure to individuals not authorized to receive the information, or instances of improper access to online information by individuals not authorized to view the information).

If affirmative: n/a

Signed \_\_\_\_\_

Michael Fetko Jr

Vice President



To Our Valued Customer,

Under federal law, you have the right to confidentiality of information regarding the telecommunication service to which you subscribe and International Telecom, Inc. (ITI) has taken steps to protect your confidentiality. This Confidential information includes making changes to your account and call detail records.

Established in 1991, ITI has never sold or allowed data brokers or any other entity access to your call account information and never will.

**This information is referred to as Customer Proprietary Network Information (CPNI)**

Among the FCC rules is the option for you to establish a Password with ITI and provide that password during a telephone call from you before we are authorized to disclose, make changes or discuss call detail records. If you choose not to have a password we have limited options made available to you listed below:

- ITI can send the call detail information to the address on record that we have on file for you.
- ITI can call you back at the telephone number on record from which your service is derived.
- ITI may disclose call detail CPNI to you at our business office with a valid photo I.D. matching the name listed on the account. Note that we are only authorized to disclose call detail CPNI to the individual(s) listed on the account with a valid photo I.D

If you happen to lose or forget your password, ITI has implemented a back-up authentication method. We will ask that you select one of three secret questions to answer. This secret question should prompt you for the response that will allow us to provide you with your password.

The CPNI rules also require we notify you immediately if your password, your response to backup means of authorization for lost or forgotten passwords, or address of record is created or changed. You will be notified by telephone number of record, or by mail to the address of record as it was prior to the change.

**This password protection has become effective immediately so we strongly encourage you to establish a password and back-up secret question by completing below form. Please return this form along with your invoice statement in the enclosed envelope.**

ITI Account Number & Account Name: \_\_\_\_\_

1. Establish an Account Password: \_\_\_\_\_  
(Avoid using readily available information such as your social security number, date of birth, mother's maiden name or home address.

2. Forgot Password:  
What is the name of the street you grew up on? \_\_\_\_\_

What was your first pet's name? \_\_\_\_\_

What elementary school did you go to? \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_



# ITI CPNI Compliance Officer Manual

## I. What is CPNI?

Customer proprietary network information (CPNI)

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 a Telecommunications Carrier, and that is made available to the Carrier by the Customer solely by virtue of the Carrier-Customer relationship; and Information contained in the bills pertaining to telephone exchange service or telephone toll service received by a Customer of a Carrier.

Examples:

- o Information regarding to whom, where, and when a Customer places a call;
- o Frequency, timing, and duration of calls;
- o The types of service offerings to which the Customer subscribes;
- o The extent to which a Customer uses a service;
- o The Customer's pre-subscribed toll provider; and
- o Call Detail Information on Inbound and Outbound Calls.

## II. Why CPNI?

### **To Protect private information of customers of telecommunications carriers and interconnected Voice over Internet Protocol (VoIP) service providers**

Congress recognized both that telecommunications carriers are in a unique position to collect sensitive personal information – including to whom, where and when their customers call – and that customers maintain an important privacy interest in protecting this information from disclosure and dissemination. Accordingly, section 222 of the Communications Act, 47 U.S.C. § 222, requires telecommunications carriers (and interconnected VoIP service providers) to take specific steps to ensure that customer proprietary network information (CPNI) is adequately protected from unauthorized disclosure.

## **International Telecom Inc. (ITI) policy to comply with CPNI**

The Company's policy is to protect the confidentiality of CPNI, and to rely on the involvement of high-level management to ensure that no use of CPNI is made until a full review of applicable law has occurred.

The FCC's regulations, 47 CFR 64.2009, require the Company to implement a system to clearly establish the status of a Customer's CPNI approval prior to the use of CPNI, and to train its personnel as to when they are, and are not, authorized to use CPNI, and to have an express disciplinary process in place. This Manual constitutes the Company's policies and procedures related to CPNI. All employees are required to follow the policies and procedures specified in this Manual.

### **III. ITI Policy regarding CPNI handling by employees.**

ITI and its employees are prohibited from sharing customer's information to any other third party. ITI does not provide customers with ability to view their invoices over the internet using a login username and password. Since 1991 thru today, ITI has not, nor intends sell or allow data brokers information to our client's database. ITI customers database are strictly for ITI use only. Anyone caught sharing of database information by any employee will be reported to law enforcement, the FBI and United States Secret Service.

## **IV. EMPLOYEE COMPLIANCE REQUIREMENTS**

### **A. Rule Requirements**

#### **Safeguarding CPNI**

All employees must keep all customer information private to those customers whom have verified by user password to access to customer information

As the Compliance Officer you are responsible to report any unauthorized access to CPNI to the appropriate legal authorities.

All employees must properly authenticate a customer prior to disclosing CPNI based on customer-initiated telephone contact, access, or an in-store visit. **[47 C.F.R. § 64.2010(a)]**

#### **ITI File Room**

ITI File room holds all customer records and CPNI information which is locked after hours. From 8am to 5PM the file room will be accessible to ITI's 4 employees.

#### **Password for online access to CPNI**

ITI does provide this service to allow online access to their accounts.

Should ITI in future provide this service, these procedures must be followed:

A telecommunications carrier must authenticate a customer without the use of readily available biographical information, or account information, prior to allowing the customer online access to CPNI related to a telecommunications service account.

Once authenticated, the customer may only obtain online access to CPNI related to a telecommunications service account through a password that is not prompted by the carrier asking for readily available biographical information, or account information. [47 C.F.R. § 64.2010(c)]

### **Establishing a password**

To establish a password, ITI must authenticate the customer without the use of readily available biographical information, or account information.

ITI may create a back-up customer authentication method in the event of a lost or forgotten password, but such back-up customer authentication method may not prompt the customer for readily available biographical information, or account information.

If a customer cannot provide the correct password or the correct response for the back-up customer authentication method, the customer must establish a new password. [47 C.F.R. § 64.2010(e)]

### **Password for telephone access to call detail information**

All ITI employees may only disclose **call detail information** over the telephone, based on customer-initiated telephone contact, if the customer first provides the carrier with a **password** that is not prompted by you asking for readily available biographical information, or account information.

If the customer does not provide a password, you may only disclose call detail information by sending it to the customer's address of record, or by calling the customer at the telephone number of record or asking for the answer to their back-up secret question.

If the customer is able to provide call detail information to you during a customer-initiated call without your assistance, then you are permitted to discuss the call detail information provided by the customer. [47 C.F.R. § 64.2010(b)]

### **In-store access to CPNI**

Employees may disclose CPNI to a customer who visits ITI's retail location, first presents to you with a valid photo ID matching the customer's account information. [47 C.F.R. § 64.2010(d)]

### **Opt-in/opt-out customer approval**

**ITI policy does not permit sharing of customer data to any company or entity, however if in the future should ITI elect to you must follow these Opt-in/opt out procedures.**

A telecommunications carrier may, subject to opt-out approval or opt-in approval, use its customer's individually identifiable CPNI for the purpose of marketing communications-related services to that customer.

A telecommunications carrier may, subject to opt-out approval or opt-in approval, disclose its customer's individually identifiable CPNI, for the purpose of marketing communications-related services to that customer, to its agents and its affiliates that provide communications-related services.

A telecommunications carrier may also permit such persons or entities to obtain access to such CPNI for such purposes.

Except for use and disclosure of CPNI that is permitted without customer approval, or as otherwise described in section 64.2007(b) or otherwise provided in section 222, a telecommunications carrier may only use, disclose, or permit access to its customer's individually identifiable CPNI subject to opt-in approval.

A telecommunications carrier may obtain approval through written, oral or electronic methods.

A telecommunications carrier relying on oral approval shall bear the burden of demonstrating that such approval has been given in compliance with the Commission's rules in this part.

Approval or disapproval to use, disclose, or permit access to a customer's CPNI obtained by a telecommunications carrier must remain in effect until the customer revokes or limits such approval or disapproval. [47 C.F.R. § 64.2007]

### **Training and express disciplinary process in place**

ITI and its employees are prohibited from sharing customer's information to any other third party. ITI does not provide customers with ability to view their invoices over the internet using a login username and password. Since 1991 thru today, ITI has not, nor intends to sell or allow data brokers information to our client's database in the future. ITI customers database are strictly for ITI use only. Anyone caught sharing of database information by any employee will be reported to law enforcement, the FBI and United States Secret Service.

Every employee must read the CPNI Employee manual and pass a verbal Q&A test.

Should any employee use CPNI unlawfully, they will be placed on leave of absence without pay for 5 days until a full investigation can be complete by the Compliance Officer, FBI and USSS. [47 C.F.R. § 64.2009(b)]

### **Notification Requirements**

#### **SUSPECTED BREACH OF CPNI**

You must notify the Compliance Officer immediately of suspected breach of CPNI information. You shall notify the Compliance Officer immediately if a customer informs you of suspected breach of CPNI. The Compliance Officer will then contact law enforcement of a breach of its customers' CPNI. The Compliance Officer shall not notify its customers or disclose the breach publicly, whether voluntarily or under state or local law or the Commission's rules, until it has completed the process of notifying law enforcement.

As soon as practicable, and in no event later than **seven business days**, after reasonable determination of the breach, ITI shall electronically notify the United States Secret Service (USSS) and the Federal Bureau of Investigation (FBI) through a central reporting facility. The Commission will maintain a link to the reporting facility at <http://www.fcc.gov/eb/cpni>.

Notwithstanding any state law to the contrary, ITI shall not notify customers or disclose the breach to the public until **seven full business days** have passed after notification to the USSS and the FBI, except as provided below.

If you believe that there is an extraordinarily urgent need to notify any class of affected customers sooner than otherwise allowed, in order to avoid immediate and irreparable harm, it shall so indicate in its notification and may proceed to immediately notify its affected customers only after consultation with the relevant investigating agency.

You will cooperate with the relevant investigating.

You will cooperate with the relevant investigating agency's request to minimize any adverse effects of such customer notification.

If the relevant investigating agency determines that public disclosure or notice to customers would impede or compromise an ongoing or potential criminal investigation or national security, such agency may direct the carrier not to so disclose or notify for an initial period of up to **30 days**. Such period may be extended by the agency as reasonably necessary in the judgment of the agency.

If such direction is given, the agency shall notify the ITI when it appears that public disclosure or notice to affected customers will no longer impede or compromise a criminal investigation or national security.

The agency shall provide in writing its initial direction to the carrier, any subsequent extension, and any notification that notice will no longer impede or compromise a criminal investigation or national security and such writings shall be contemporaneously logged on the same reporting facility that contains records of notifications filed by carriers. **[47 C.F.R. § 64.2011(a)-(b)]**

### **Notification to customer of breach**

After you have completed the process of notifying law enforcement, you notify its customers of a breach of those customers' CPNI. **[47 C.F.R. § 64.2011(c)]**

### **Notification of account changes**

You must notify customers immediately whenever a password, customer response to a back-up means of authentication for lost or forgotten passwords, online account, or address of record is created or changed. This notification is not required when the customer initiates service, including the selection of a password at service initiation.

This notification may be through an originated voicemail or text message to the telephone number of record, or by mail to the address of record, and must not reveal the changed information or be sent to the new account information. **[47 C.F.R. § 64.2010(f)]**

### **Notification before use of CPNI**

#### **Notification generally**

Prior to any solicitation for customer approval, ITI must provide notification to the customer of the customer's right to restrict use of, disclosure of, and access to that customer's CPNI. Individual notice to customers must be provided when soliciting approval to use, disclose, or permit access to customers' CPNI. **[47 C.F.R. §64.2008]**

### **Content of Notice**

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

The notification must state that the **customer has a right**, and the **carrier has a duty**, under federal law, to protect the confidentiality of CPNI.

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.

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, ITI may provide a brief statement, in clear and neutral language, describing consequences directly resulting from the lack of access to CPNI.

The notification must be comprehensible and must not be misleading.

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.

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

ITI may state in the notification that the customer's approval to use CPNI may enhance the carrier's ability to offer products and services tailored to the customer's needs.

ITI also may state in the notification that it may be compelled to disclose CPNI to any person upon affirmative written request by the customer.

ITI may not include in the notification any statement attempting to encourage a customer to freeze third-party access to CPNI.

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 that carrier is **valid until the customer affirmatively revokes** or limits such approval or denial.

ITI's solicitation for approval must be proximate to the notification of a customer's CPNI rights. **[47 C.F.R. § 64.2008]**

### **Notice Requirements Specific to Opt-Out**

ITI must provide notification to obtain opt-out approval through **electronic** or **written** methods, but not by oral communication, except as allowed for notice requirements specific to onetime use of CPNI.

If ITI uses the opt-out mechanism must provide notices to their customers **every two years**.

Waiting periods:

**ITI must wait for a minimum of 30 days** after giving customers notice and an opportunity to opt-out before assuming customer approval to use, disclose, or permit access to CPNI.

ITI may, in its discretion, provide for a longer period. ITI must notify customers as to the applicable waiting period for a response before approval is assumed.

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

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.

E-mail notifications:

Should ITI use **e-mail** to provide opt-out notices must comply with the following requirements in addition to the requirements generally applicable to notification:

ITI must obtain **express, verifiable, prior approval from consumers to send notices** via e-mail regarding their service in general, or CPNI in particular;

**ITI must allow customers to reply directly to emails** containing CPNI notices in order **to opt-out**;

Opt-out e-mail notices that are returned to the carrier as undeliverable must be sent to the customer in another form before carriers may consider the customer to have received notice.

If ITI uses e-mail to send CPNI notices must ensure that the subject line of the message clearly and accurately identifies the subject matter of the e-mail; and

Telecommunications carriers 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**

ITI 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. **[47 C.F.R. § 64.2008]**

### **Notice Requirements Specific to Opt-In**

ITI may provide notification to obtain opt-in approval through oral, written, or electronic methods. **[47 C.F.R. § 64.2008]**

### **Notice Requirements Specific to One-Time Use of CPNI**

ITI 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 carriers use opt-out or opt-in approval based on the nature of the contact.

The contents of any such notification must comply with the content of notice requirements, except that telecommunications carriers may omit any of the following notice provisions if not relevant to the limited use for which the carrier seeks CPNI:

ITI need not advise customers that if they have opted-out previously, no action is needed to maintain the opt-out election;

ITI 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;

ITI need not disclose the means by which a customer can deny or withdraw future access to CPNI, so long as carriers explain to customers that the scope of the approval the carrier seeks is limited to one-time use; and

ITI may omit disclosure of the precise steps a customer must take in order to grant or deny access to CPNI, as long as the carrier clearly communicates that the customer can deny access to his CPNI for the call. [47 C.F.R. § 64.2008]

## **Recordkeeping Requirements**

### **Records related to breaches**

ITI will maintain a record, electronically or in some other manner, of any breaches discovered, notifications made to the USSS and the 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.

ITI shall retain the record for a minimum of **two years**. [47 C.F.R. § 64.2011(d)]

### **Records of approval**

ITI will maintain records of customer approval for use of CPNI, whether oral, written, or electronic, for at least **one year**. [47 C.F.R. § 64.2007(a)(3)]

### **Records of notification**

ITI will maintain records of customer notification of the customers' right to restrict use of CPNI, whether oral, written, or electronic, for at least **one year**. [47 C.F.R. § 64.2008(a)(2)]

### **Records of marketing campaigns using CPNI**

ITI will maintain a record, electronically or in some other manner, of their own and their affiliates' sales and marketing campaigns that use their customers' CPNI. All carriers 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.

ITI shall retain the record for a minimum of **one year**. [47 C.F.R. § 64.2009(c)]

### **Records of supervisory review process**

ITI has established Michael Fetko Jr as ITI's CPNI Compliance Officer. The CPNI Compliance Officer will be responsible for reviewing processes regarding carrier compliance with the rules for outbound marketing situations and maintain records of carrier compliance for a minimum period of **one year**. Specifically, sales personnel must obtain supervisory approval of any proposed outbound marketing request for customer approval. [47 C.F.R. § 64.2009(d)]

## Filing Requirements

### Compliance certification – March 1 (annually)

ITI will have an officer, as an agent of the carrier, sign and file with the Commission a compliance certificate on an annual basis. The officer must state in the **certification** that he or she has personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules.

ITI will provide a statement accompanying the certificate explaining how its operating procedures ensure that it is or is not in compliance with the Commission's CPNI rules. [47 C.F.R. § 64.2009(e)]

ITI will include an explanation of any actions taken against data brokers; and

ITI will report on proceedings instituted or petitions filed by a carrier at either state commissions, the court system, or at the Commission against data brokers. [EPIC CPNI Order]

A summary of all customer complaints received in the past year concerning the unauthorized release of CPNI. [47 C.F.R. § 64.2009(e)]

For the summary of customer complaints, ITI must report on the number of customer complaints a carrier has received related to unauthorized access to CPNI, or unauthorized disclosure of CPNI, broken down by category of complaint, *e.g.*, instances of improper access by employees, instances of improper disclosure to individuals not authorized to receive the information, or instances of improper access to online information by individuals not authorized to view the information.

ITI will also report on any information that they have with respect to the processes pretexters are using to attempt to access CPNI, and what steps carriers are taking to protect CPNI. [EPIC CPNI Order]

Any violation of, or departure from, the policies and procedures in this Manual shall be reported immediately to Michael Fetko Jr the ITI Compliance Officer at (907)349-6557.

## V. DEFINITIONS

**Account information.** "Account information" is information that is specifically connected to the customer's service relationship with the carrier, including such things as an account number or any component thereof, the telephone number associated with the account, or the bill's amount. [47 C.F.R. § 64.2003]

**Address of record.** An "address of record," whether **postal or electronic**, is an address that the carrier has associated with the customer's account for **at least 30 days**. [47C.F.R. § 64.2003]

**Affiliate.** The term "affiliate" means a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term "own" means to own an equity interest (or the equivalent thereof) of more than 10 percent. [47 C.F.R. § 64.2003]

**Breach.** A "breach" has occurred when a person, without authorization or exceeding authorization, has intentionally gained access to, used, or disclosed CPNI. [47 C.F.R. § 64.2011(e)]

**Call detail information.** The term “call detail information” means any information that pertains to the transmission of specific telephone calls, including, for outbound calls, the number called, and the time, location, or duration of any call and, for inbound calls, the number from which the call was placed, and the time, location, or duration of any call. [47 C.F.R. § 64.2003]

**Carrier.** See “telecommunications carrier,” below.

**Communications carrier.** See “telecommunications carrier,” below.

**Communications-related services.** The term "communications-related services" means telecommunications services, information services typically provided by telecommunications carriers, and services related to the provision or maintenance of customer premises equipment. [47 C.F.R. § 64.2003]

**CPNI.** See “customer proprietary network information,” below.

**Customer.** A customer of a telecommunications carrier is a person or entity to which the telecommunications carrier is currently providing service. [47 C.F.R. § 64.2003]

**Customer proprietary network information.**

The term “customer proprietary network information” means: 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 a telecommunications carrier, and that is made available to the carrier by the customer solely by virtue of the carrier-customer relationship; and information contained in the bills pertaining to telephone exchange service or telephone toll service received by a customer of a carrier; except that such term does not include subscriber list information. [47 U.S.C. § 222(h)]

CPNI includes information such as the phone numbers called by a consumer; the frequency, duration, and timing of such calls; and any services purchased by the consumer, such as call waiting. CPNI therefore includes some highly-sensitive personal information, but CPNI does *not* include subscriber list information. [47 C.F.R. § 64.2003]

**Customer premises equipment.** The term “customer premises equipment” means equipment employed on the premises of a person (other than a carrier) to originate, route, or terminate telecommunications. [47 C.F.R. § 64.2003]

**Data broker.** The term “data broker” means one who sells other individuals’ personal telephone records for a price. [See EPIC CPNI Order]

**Information services typically provided by telecommunications carriers.** The phrase "information services typically provided by telecommunications carriers" means only those information services that are typically provided by telecommunications carriers, such as Internet access or voice mail services. Such phrase "information services typically provided by telecommunications carriers," as used in this subpart, shall not include retail consumer services provided using Internet Web sites (such as travel reservation services or mortgage lending services), whether or not such services may otherwise be considered to be information services. [47 C.F.R. § 64.2003]

**Interconnected VoIP service.** An interconnected Voice over Internet protocol (VoIP) service is a service that:

enables real-time, two-way voice communications;

requires a broadband connection from the user's location; requires Internet protocol-compatible customer premises equipment (CPE); and permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network. [47 C.F.R. §§ 9.3, 64.2003 (defining telecommunications carrier to include an entity that provides interconnected VoIP service)]

**Opt-in approval.** The term "opt-in approval" refers to a method for obtaining customer consent to use, disclose, or permit access to the customer's CPNI. This approval method requires that the carrier obtain from the customer affirmative, express consent allowing the requested CPNI usage, disclosure, or access after the customer is provided appropriate notification of the carrier's request consistent with the requirements set forth in this subpart. [47 C.F.R. § 64.2003]

**Opt-out approval.** The term "opt-out approval" refers to 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 thereto within the waiting period after the customer is provided appropriate notification of the carrier's request for consent consistent with the rules in this subpart. [47 C.F.R. § 64.2003]

**Pretexters.** The term "pretexters" means individuals who obtain unauthorized access to CPNI, including what calls were made to and/or from a particular telephone number and the duration of such calls. [EPIC CPNI Order]

**Pretexting.** The term "pretexting" means the practice of pretending to be a particular customer or other authorized person in order to obtain access to that customer's call detail or other private communications records. Pretexting is a criminal offense subject to fines and imprisonment under the Telephone Records and Privacy Protection Act of 2006. [EPIC CPNI Order]

**Readily available biographical information.** "Readily available biographical information" is information drawn from the customer's life history and includes such things as the customer's social security number, or the last four digits of that number; mother's maiden name; home address; or date of birth. [47 C.F.R. § 64.2003]

**Small business.** See "small entity," below.

**Small entity.** The Regulatory Flexibility Act generally defines the term "small entity" as having the same meaning as the terms "small business," "small organization," and "small governmental jurisdiction." The term "small business" has the same meaning as the term "small business concern" under the Small Business Act. A small-business concern shall be deemed to be one which is independently owned and operated and which is not dominant in its field of operation. Moreover, the term "small entity" applies to small organizations (nonprofits) and to small governmental jurisdictions (cities, counties, towns, townships, villages, school districts, and special districts with populations of less than 50,000). Generally for service providers, this means, among other requirements, that the business has 1500 or fewer employees. However, what qualifies as a small business varies greatly with the type of business. [EPIC CPNI Order, appendix C]

**Subscriber list information.** The term "subscriber list information" means any information identifying the listed names of subscribers of a carrier and such subscribers' telephone numbers, addresses, or primary advertising classifications (as such classifications are assigned at the time

of the establishment of such service), or any combination of such listed names, numbers, addresses, or classifications; and that the carrier or an affiliate has published, caused to be published, or accepted for publication in any directory format. [47 U.S.C. § 222(h)]

**Telecommunications carrier.** “Telecommunications carrier,” “communications carrier,” and “carrier” means any provider of telecommunications services, except that such term does not include aggregators of telecommunications services. A telecommunications carrier shall be treated as a common carrier only to the extent that it is engaged in providing telecommunications services. For the purpose of the Commission’s CPNI rules, the term "telecommunications carrier" or "carrier" shall include an entity that provides interconnected VoIP service. [47 C.F.R. § 64.2003]

**Telecommunications service.** The term “telecommunications service” means the offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used. [47 C.F.R. § 64.2003]

**Telephone number of record.** A “telephone number of record” is the telephone number associated with the underlying service, not the telephone number supplied as a customer's "contact information." [47 C.F.R. § 64.2003]

**Valid Photo ID.** A "valid photo ID" is a government-issued means of personal identification with a photograph such as a driver's license, passport, or comparable ID that is not expired. [47 C.F.R. § 64.2003]



# ITI Employee Policies and Procedures for CPNI Manual

## VI. DEFINITIONS

**Account information.** "Account information" is information that is specifically connected to the customer's service relationship with the carrier, including such things as an account number or any component thereof, the telephone number associated with the account, or the bill's amount. [47 C.F.R. § 64.2003]

**Address of record.** An "address of record," whether **postal or electronic**, is an address that the carrier has associated with the customer's account for **at least 30 days**. [47C.F.R. § 64.2003]

**Affiliate.** The term "affiliate" means a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term "own" means to own an equity interest (or the equivalent thereof) of more than 10 percent. [47 C.F.R. § 64.2003]

**Breach.** A "breach" has occurred when a person, without authorization or exceeding authorization, has intentionally gained access to, used, or disclosed CPNI. [47 C.F.R. § 64.2011(e)]

**Call detail information.** The term "call detail information" means any information that pertains to the transmission of specific telephone calls, including, for outbound calls, the number called, and the time, location, or duration of any call and, for inbound calls, the number from which the call was placed, and the time, location, or duration of any call. [47 C.F.R. § 64.2003]

**Carrier.** See "telecommunications carrier," below.

**Communications carrier.** See "telecommunications carrier," below.

**Communications-related services.** The term "communications-related services" means telecommunications services, information services typically provided by telecommunications carriers, and services related to the provision or maintenance of customer premises equipment. [47 C.F.R. § 64.2003]

**CPNI.** See "customer proprietary network information," below.

**Customer.** A customer of a telecommunications carrier is a person or entity to which the telecommunications carrier is currently providing service. [47 C.F.R. § 64.2003]

**Customer proprietary network information.**

The term “customer proprietary network information” means: 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 a telecommunications carrier, and that is made available to the carrier by the customer solely by virtue of the carrier-customer relationship; and information contained in the bills pertaining to telephone exchange service or telephone toll service received by a customer of a carrier; except that such term does not include subscriber list information. [47 U.S.C. § 222(h)]

CPNI includes information such as the phone numbers called by a consumer; the frequency, duration, and timing of such calls; and any services purchased by the consumer, such as call waiting. CPNI therefore includes some highly-sensitive personal information, but CPNI does *not* include subscriber list information. [47 C.F.R. § 64.2003]

**Customer premises equipment.** The term “customer premises equipment” means equipment employed on the premises of a person (other than a carrier) to originate, route, or terminate telecommunications. [47 C.F.R. § 64.2003]

**Data broker.** The term “data broker” means one who sells other individuals’ personal telephone records for a price. [See EPIC CPNI Order]

**Information services typically provided by telecommunications carriers.** The phrase “information services typically provided by telecommunications carriers” means only those information services that are typically provided by telecommunications carriers, such as Internet access or voice mail services. Such phrase “information services typically provided by telecommunications carriers,” as used in this subpart, shall not include retail consumer services provided using Internet Web sites (such as travel reservation services or mortgage lending services), whether or not such services may otherwise be considered to be information services. [47 C.F.R. § 64.2003]

**Interconnected VoIP service.** An interconnected Voice over Internet protocol (VoIP) service is a service that:

- enables real-time, two-way voice communications;
- requires a broadband connection from the user's location;
- requires Internet protocol-compatible customer premises equipment (CPE); and
- permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network. [47 C.F.R. §§ 9.3, 64.2003 (defining telecommunications carrier to include an entity that provides interconnected VoIP service)]

**Opt-in approval.** The term “opt-in approval” refers to a method for obtaining customer consent to use, disclose, or permit access to the customer's CPNI. This approval method requires that the carrier obtain from the customer affirmative, express consent allowing the requested CPNI usage, disclosure, or access after the customer is provided appropriate notification of the carrier's request consistent with the requirements set forth in this subpart. [47 C.F.R. § 64.2003]

**Opt-out approval.** The term “opt-out approval” refers to 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 thereto within the waiting period after the customer is provided

appropriate notification of the carrier's request for consent consistent with the rules in this subpart. [47 C.F.R. § 64.2003]

**Pretexters.** The term “pretexters” means individuals who obtain unauthorized access to CPNI, including what calls were made to and/or from a particular telephone number and the duration of such calls. [EPIC CPNI Order]

**Pretexting.** The term “pretexting” means the practice of pretending to be a particular customer or other authorized person in order to obtain access to that customer’s call detail or other private communications records. Pretexting is a criminal offense subject to fines and imprisonment under the Telephone Records and Privacy Protection Act of 2006. [EPIC CPNI Order]

**Readily available biographical information.** "Readily available biographical information" is information drawn from the customer's life history and includes such things as the customer's social security number, or the last four digits of that number; mother's maiden name; home address; or date of birth. [47 C.F.R. § 64.2003]

**Small business.** See “small entity,” below.

**Small entity.** The Regulatory Flexibility Act generally defines the term “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.” The term “small business” has the same meaning as the term “small business concern” under the Small Business Act. A small-business concern shall be deemed to be one which is independently owned and operated and which is not dominant in its field of operation. Moreover, the term “small entity” applies to small organizations (nonprofits) and to small governmental jurisdictions (cities, counties, towns, townships, villages, school districts, and special districts with populations of less than 50,000). Generally for service providers, this means, among other requirements, that the business has 1500 or fewer employees. However, what qualifies as a small business varies greatly with the type of business. [EPIC CPNI Order, appendix C]

**Subscriber list information.** The term “subscriber list information” means any Information: identifying the listed names of subscribers of a carrier and such subscribers' telephone numbers, addresses, or primary advertising classifications (as such classifications are assigned at the time of the establishment of such service), or any combination of such listed names, numbers, addresses, or classifications; and that the carrier or an affiliate has published, caused to be published, or accepted for publication in any directory format. [47 U.S.C. § 222(h)]

**Telecommunications carrier.** “Telecommunications carrier,” “communications carrier,” and “carrier” means any provider of telecommunications services, except that such term does not include aggregators of telecommunications services. A telecommunications carrier shall be treated as a common carrier only to the extent that it is engaged in providing telecommunications services. For the purpose of the Commission’s CPNI rules, the term "telecommunications carrier" or "carrier" shall include an entity that provides interconnected VoIP service. [47 C.F.R. § 64.2003]

**Telecommunications service.** The term “telecommunications service” means the offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used. [47 C.F.R. § 64.2003]

**Telephone number of record.** A “telephone number of record” is the telephone number associated with the underlying service, not the telephone number supplied as a customer's "contact information." [47 C.F.R. § 64.2003]

**Valid Photo ID.** A "valid photo ID" is a government-issued means of personal identification with a photograph such as a driver's license, passport, or comparable ID that is not expired. [47 C.F.R. § 64.2003]

## **VII. What is CPNI?**

Customer proprietary network information (CPNI)

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 a Telecommunications Carrier, and that is made available to the Carrier by the Customer solely by virtue of the Carrier-Customer relationship; and Information contained in the bills pertaining to telephone exchange service or telephone toll service received by a Customer of a Carrier.

### Examples:

- o Information regarding to whom, where, and when a Customer places a call;
- o Frequency, timing, and duration of calls;
- o The types of service offerings to which the Customer subscribes;
- o The extent to which a Customer uses a service;
- o The Customer's pre-subscribed toll provider; and
- o Call Detail Information on Inbound and Outbound Calls.

## **VIII. Why CPNI?**

### **To protect private information of customers of telecommunications carriers and interconnected Voice over Internet Protocol (VoIP) service providers**

Congress recognized both that telecommunications carriers are in a unique position to collect sensitive personal information – including to whom, where and when their customers call – and that customers maintain an important privacy interest in protecting this information from disclosure and dissemination. Accordingly, section 222 of the Communications Act, 47 U.S.C. § 222, requires telecommunications carriers (and interconnected VoIP service providers) to take specific steps to ensure that customer proprietary network information (CPNI) is adequately protected from unauthorized disclosure.

## **IX. ITI Policy regarding CPNI handling by employees.**

ITI and its employees are prohibited from sharing customer's information to any other third party. ITI does not provide customers with ability to view their invoices over the internet using a login username and password. Since 1991 thru today, ITI has not, nor intends sell or allow data brokers information to our client's database. ITI customers database are strictly for ITI use only. Anyone caught sharing of database information by any employee will be reported to law enforcement, the FBI and United States Secret Service.

The Company's policy is to protect the confidentiality of CPNI, and to rely on the involvement of high-level management to ensure that no use of CPNI is made until a full review of applicable law has occurred.

The FCC's regulations, 47 CFR 64.2009, require the Company to implement a system to clearly establish the status of a Customer's CPNI approval prior to the use of CPNI, and to train its personnel as to when they are, and are not, authorized to use CPNI, and to have an express disciplinary process in place. This Manual constitutes the Company's policies and procedures related to CPNI. All employees are required to follow the policies and procedures specified in this Manual.

## **X. EMPLOYEE COMPLIANCE REQUIREMENTS**

### **B. Rule Requirements**

#### **Safeguarding CPNI**

All employees must keep all customer information private to those customers whom have verified by user password to access to customer information

You will report any unauthorized access to CPNI to the Compliance Officer.

ITI will report any unauthorized access to the appropriate legal authorities immediately.

All employees must properly authenticate a customer prior to disclosing CPNI based on customer-initiated telephone contact, access, or an in-store visit. [47 C.F.R. § 64.2010(a)]

#### **ITI File Room**

ITI File room holds all customer records and CPNI information which is locked after hours. From 8am to 5PM the file room will be accessible to ITI's 4 employees.

#### **Password for online access to CPNI**

ITI does provide this service to allow online access to their accounts.

Should ITI in future provide this service, these procedures must be followed:

A telecommunications carrier must authenticate a customer without the use of readily available biographical information, or account information, prior to allowing the customer online access to CPNI related to a telecommunications service account.

Once authenticated, the customer may only obtain online access to CPNI related to a telecommunications service account through a password that is not prompted by the carrier asking for readily available biographical information, or account information. [47 C.F.R. § 64.2010(c)]

#### **Establishing a password**

To establish a password, a customer must authenticate the account without the use of readily available biographical information, or account information.

ITI has created a CPNI form that allows customers to create a back-up authentication method in the event of a lost or forgotten password, but such back-up authentication method may not prompt the customer for readily available biographical information, or account information.

If a customer cannot provide the correct password or the correct response for the back-up customer authentication method, the customer must establish a new password via a in store visit with a valid ID or via mailed form to the account address of record.

### **Password for telephone access to call detail information**

All ITI employee's may only disclose **call detail information** over the telephone, based on customer-initiated telephone contact, if the customer first provides the carrier with a **password** that is not prompted by you asking for readily available biographical information, or account information.

If the customer does not provide a password, you may only disclose call detail information by sending it to the customer's address of record, or by calling the customer at the telephone number of record or asking for the answer to their back-up secret question.

If the customer is able to provide call detail information to you during a customer-initiated call without your assistance, then you are permitted to discuss the call detail information provided by the customer. [47C.F.R. § 64.2010(b)]

### **In-store access to CPNI**

Employees may disclose CPNI to a customer who visits ITI's retail location, first presents to you with a valid photo ID matching the customer's account information. [47 C.F.R. § 64.2010(d)]

### **Opt-in/opt-out customer approval**

**ITI policy does not permit sharing of customer data to any company or entity, however if in the future should ITI elect to you must follow these Opt-in/opt out procedures.**

A telecommunications carrier may, subject to opt-out approval or opt-in approval, use its customer's individually identifiable CPNI for the purpose of marketing communications-related services to that customer.

A telecommunications carrier may, subject to opt-out approval or opt-in approval, disclose its customer's individually identifiable CPNI, for the purpose of marketing communications-related services to that customer, to its agents and its affiliates that provide communications-related services.

A telecommunications carrier may also permit such persons or entities to obtain access to such CPNI for such purposes.

Except for use and disclosure of CPNI that is permitted without customer approval, or as otherwise described in section 64.2007(b) or otherwise provided in section 222, a telecommunications carrier may only use, disclose, or permit access to its customer's individually identifiable CPNI subject to opt-in approval.

A telecommunications carrier may obtain approval through written, oral or electronic methods.

A telecommunications carrier relying on oral approval shall bear the burden of demonstrating that such approval has been given in compliance with the Commission's rules in this part.

Approval or disapproval to use, disclose, or permit access to a customer's CPNI obtained by a telecommunications carrier must remain in effect until the customer revokes or limits such approval or disapproval. [47 C.F.R. § 64.2007]

## **Training and express disciplinary process in place**

ITI and its employees are prohibited from sharing customer's information to any other third party. ITI does not provide customers with ability to view their invoices over the internet using a login username and password. Since 1991 thru today, ITI has not, nor intends to sell or allow data brokers information to our client's database in the future. ITI customers database are strictly for ITI use only. Anyone caught sharing of database information by any employee will be reported to law enforcement, the FBI and United States Secret Service.

Every employee must read the CPNI Employee manual and pass a verbal Q&A test.

Should any employee use CPNI unlawfully, they will be placed on leave of absence without pay for 5 days until a full investigation can be complete by the Compliance Officer, FBI and USSS. **[47 C.F.R. § 64.2009(b)]**

## **Notification Requirements**

### **SUSPECTED BREACH OF CPNI**

You must notify the Compliance Officer immediately of suspected breach of CPNI information. You shall notify the Compliance Officer immediately if a customer informs you of suspected breach of CPNI. The Compliance Officer will then contact law enforcement of a breach of its customers' CPNI. The Compliance Officer shall not notify its customers or disclose the breach publicly, whether voluntarily or under state or local law or the Commission's rules, until it has completed the process of notifying law enforcement.

As soon as practicable, and in no event later than **seven business days**, after reasonable determination of the breach, ITI shall electronically notify the United States Secret Service (USSS) and the Federal Bureau of Investigation (FBI) through a central reporting facility. The Commission will maintain a link to the reporting facility at <http://www.fcc.gov/eb/cpni>.

Notwithstanding any state law to the contrary, ITI shall not notify customers or disclose the breach to the public until **seven full business days** have passed after notification to the USSS and the FBI, except as provided below.

If you believe that there is an extraordinarily urgent need to notify any class of affected customers sooner than otherwise allowed, in order to avoid immediate and irreparable harm, it shall so indicate in its notification and may proceed to immediately notify its affected customers only after consultation with the relevant investigating agency.

You will cooperate with the relevant investigating.

You will cooperate with the relevant investigating agency's request to minimize any adverse effects of such customer notification.

If the relevant investigating agency determines that public disclosure or notice to customers would impede or compromise an ongoing or potential criminal investigation or national security, such agency may direct the carrier not to so disclose or notify for an initial period of up to **30 days**. Such period may be extended by the agency as reasonably necessary in the judgment of the agency.

If such direction is given, the agency shall notify the ITI when it appears that public disclosure or notice to affected customers will no longer impede or compromise a criminal investigation or national security.

The agency shall provide in writing its initial direction to the carrier, any subsequent extension, and any notification that notice will no longer impede or compromise a criminal investigation or national security and such writings shall be contemporaneously logged on the same reporting facility that contains records of notifications filed by carriers. [47 C.F.R. § 64.2011(a)-(b)]

### **Notification of account changes**

You must notify customers and the Compliance Officer immediately whenever a password, customer response to a back-up means of authentication for lost or forgotten passwords, online account, or address of record is created or changed. This notification is not required when the customer initiates service, including the selection of a password at service initiation.

This notification may be through an originated voicemail or text message to the telephone number of record, or by mail to the address of record, and must not reveal the changed information or be sent to the new account information. [47 C.F.R. § 64.2010(f)]

### **Records of supervisory review process**

ITI has established Michael Fetko Jr as ITI's CPNI Compliance Officer. The CPNI Compliance Officer will be responsible for reviewing processes regarding carrier compliance with the rules for outbound marketing situations and maintain records of carrier compliance for a minimum period of **one year**. Specifically, sales personnel must obtain supervisory approval of any proposed outbound marketing request for customer approval. [47 C.F.R. § 64.2009(d)]

**Any violation of, or departure from, the policies and procedures in this Manual shall be reported immediately to Michael Fetko Jr the ITI Compliance Officer at (907)349-6557.**



# **ITI Employee Q & A Test Certification for CPNI**

- 1. What is CPNI?**
- 2. Why CPNI?**
- 3. How does ITI protect customer information?**
- 4. In what ways can you share call detail information over phone?**
- 5. What has been ITI's policy since 1991 regarding sharing or selling customer's information?**
- 6. What are the disciplinary actions should you violate CPNI?**
- 7. Who is the Compliance Officer and when should you report a suspected breach?**

