DOCKET FILE COPY ORIGINAL

Schwaninger & Associates, Inc. *Attorneys at Law*

6715 Little River Turnpike, Suite 204, Annandale, Virginia 22003
Internet Address – rschwaninger@sa-lawyers.net
telephone – (703) 256-0637
facsimile – (703) 256-3578

Robert H. Schwaninger, Jr.

*** Licensed In The District of Columbia**
**** Not Licensed in the State of Virginia**

ORIGINAL

March 2, 2009

Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W., Suite TW-A325
Washington, D.C. 20554

FILED/ACCEPTED
MAR - 2 2009
Federal Communications Commission
Office of the Secretary

Re: **EB Docket No. 06-36**
Delta Valley Radiotelephone Co., Inc.

Dear Ms. Dortch:

In accord with those instructions published by the Commission within its Public Notice of February 13, 2009 (DA 09-240), attached hereto is the above captioned licensee's Annual CPNI Certification in compliance with 47 C.F.R. §64.2009(e), along with four copies of same.

Very truly yours,

Robert H. Schwaninger, Jr.

RHS:tg

cc: Enforcement Bureau
Best Copy and Printing, Inc.

No. of Copies rec'd 0+4
List ABCDE

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

Annual 64.2009(e) CPNI Certification for 2009

Date Completed: February 16, 2009

Name of company covered by this certification: Delta Valley Radiotelephone Co., Inc.

Licensee's FRN: 0004513636

Name of signatory: Robert LaRue

Title of signatory: President

I, Robert LaRue, 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 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. At this time, the Company does not have any information to report with respect to the processes pretexters are using to attempt to access CPNI.

The Company did not receive any customer complaint in the past year concerning the unauthorized release of CPNI

Signed Robert LaRue

DELTA VALLEY RADIOTELEPHONE CO., INC.
POLICIES FOR USE OF CPNI

The following policies are hereby established for the use of Customer Proprietary Network Information (CPNI) in accord with the rules of the Federal Communications Commission (FCC). All employees, agents, affiliates and subcontractors are bound by these policies regarding the use and protection of customers' CPNI. Violations of these policies will cause the violator to be subjected to disciplinary or remedial action at the discretion of management.

1. A customer's CPNI may be employed internally for the purpose of offering our existing customers additional services that we provide to the marketplace. Those services must, however, be offered by us and not affiliated companies, unless such use is approved by management to determine whether CPNI use is in accord with FCC guidelines.

2. Customer approval is required for use of that customer's CPNI if we are offering a different category of service from the one that the customer is presently receiving. However, one can offer Customer Premises Equipment (mobiles, consoles, portables) to deliver existing services that we are providing that customer, using that customer's CPNI.

3. Under no circumstances will anyone track a customer's use of its CPNI to determine whether that customer is contacting any competing provider of our services.

4. A Customer's CPNI can be used to protect that customer's safety of life or property; to offer adjunct-to-basic services (e.g. call forwarding); or to participate in research regarding the health effects related to the use of company-provided equipment.

5. When a customer's approval to employ its CPNI is required, the request should normally be made in writing to be signed by the customer, however, oral approval is permitted but will require the recipient of that approval to make specific record of that approval including the date, time and identity of the customer representative who provides such approval. All such records must be filed within our records and be maintained for a period of not less than one year.

6. Any customer may revoke or limit its approval to our use of its CPNI. If this occurs, the incident should be recorded and that record made a portion of our files.

7. Opt-in or Opt-out policies that allow customers to choose to have products and services marketed to them by employment of their CPNI may be used by the company at some future date. Such policies are not presently used. If used, employees shall strictly adhere to all limitations and directions given for such policies.

8. In the even that the company markets its products and services in cooperation with a joint venturer or contractor, all such marketing using customers CPNI will not commence until that joint venturer or contractor agrees, in writing, to be bound to fulfill those obligations mandated under 47 C.F.R. §64.2007.

9. Prior to solicitation for customer approval to use their CPNI when such prior approval is required, the company will provide written notification to each such customer that explains that the customer is not required to give such approval and records of such notification will be maintained for at least one year. All such notifications must be approved by management to determine that the notification complies with 47 C.F.R. §64.2008.

10. These policies will be made available to all employees and fully explained to each employee to assure that they understand the nature of CPNI and customers' rights granted by the FCC.

11. Any use of CPNI as a portion of a marketing campaign will be fully recorded and the documents recording each event, including the specific use, the services offered, whether the services are offered by the company or an affiliate, and all other relevant details of such use. Those records must be maintained by the company for no less than one year and will contain all information required under 47 C.F.R. §64.2009(c).

12. In the event of any complaint from a customer regarding use of its CPNI which the customer deems improper, the employee that responds to that complaint shall make a record of that complaint, including the means employed of addressing the customer's concern, and that record will be maintained in the company's files for at least one year. In the event that the problem arises due to circumstances associated with an Opt-out program that are not mere anomalies, management shall make notification to the FCC regarding such problems within five days of the customer(s) reporting of such problems, in accord with 47 C.F.R. §64.2009.

The above policies shall be monitored for compliance by company management, including periodic overview of customer records to assure that all necessary notifications and other relevant records are being maintained. A copy of this policy statement shall be distributed to each of the company's employees and any questions arising out of future compliance with these policies shall be communicated to management. In the event that any confusion arises regarding the applicability or interpretation of any of the above policies, employees shall first communicate such instance to management for the purpose of future handling and will not, until receiving further direction from management, disclose or use any customer's CPNI.