

February 19, 2010

Ms. Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Suite TW-A325  
Washington, DC 20554

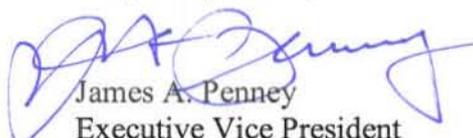
**Re: Annual CPNI Compliance Certification, EB Docket No. 06-36**

Dear Secretary Dortch:

Attached for filing in EB Docket No. 06-36 please find the Annual 47 C.F.R. § 64.2009(e) CPNI Compliance Certificate and accompanying statement of WaveDivision Holdings, LLC ("Wave") on behalf of each Wave subsidiary telecommunications carrier: WaveDivision I, LLC, WaveDivision II, LLC, WaveDivision III, LLC, Cedar Communications, LLC, WaveDivision IV, LLC, Wave/Powers Acquisition, LLC, WaveDivision VI, LLC, Astound Broadband, LLC, and WaveDivision VII, LLC.

If there are questions regarding this filing, please contact me.

Very Truly Yours,

  
James A. Penney  
Executive Vice President  
Business and Legal Affairs

Attachment

**cc: Best Copy and Printing, Inc. (via email, [FCC@BCPIWEB.COM](mailto:FCC@BCPIWEB.COM))**

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

**EB Docket No. 06-36**

**Annual 64.2009(e) CPNI Certification for 2009**

**Date filed:** February 19, 2010

**Name of company covered by this certification:** WaveDivision Holdings, LLC (“Wave”) on behalf of its subsidiaries WaveDivision I, LLC, WaveDivision II, LLC, WaveDivision III, LLC, Cedar Communications, LLC, WaveDivision IV, LLC, Wave/Powers Acquisition, LLC, WaveDivision VI, LLC, Astound Broadband, LLC, and WaveDivision VII, LLC (collectively the “Wave Subsidiaries”).

**Form 499 Filer ID:** WaveDivision I, LLC - 826028  
WaveDivision II, LLC - 826028  
WaveDivision III, LLC - 826028  
Cedar Communications, LLC - 826028  
WaveDivision IV, LLC - 826028  
Wave/Powers Acquisition, LLC - 826028  
WaveDivision VI, LLC - 826028  
Astound Broadband, LLC - 825683  
WaveDivision VII, LLC - 826028

**Name of signatory:** James A. Penney

**Title of signatory:** Executive Vice President, Business and Legal Affairs

**Certification:**

I, James A. Penney, certify that I am an officer of the companies named above (i.e., Wave and each of the Wave Subsidiaries) and acting as an agent of Wave and the Wave Subsidiaries, that I have personal knowledge that Wave has established operating procedures that are adequate to ensure compliance by the Wave Subsidiaries with the Commission’s CPNI rules. *See* 47 C.F.R. § 64.2001 *et seq.* Wave’s operating procedures are utilized by each of the Wave Subsidiaries, and all Wave policies and procedures are henceforth deemed to be the policies and procedures of any and all Wave Subsidiaries.

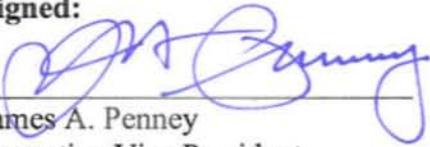
Attached to this certification is an accompanying statement explaining how the Wave Subsidiaries are in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission’s rules.

Neither Wave nor any of the Wave Subsidiaries have 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 in the past year. Because Wave is not aware of any activity by data brokers or pretexters with respect to the Wave Subsidiaries’ customers’ CPNI during the reporting year, Wave has no information to report with respect to the processes pretexters are

using to attempt to access CPNI. Wave is aware that 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. Wave's steps taken to protect CPNI are described in the accompanying statement.

Neither Wave nor any of the Wave Subsidiaries have received any customer complaints in the past year concerning unauthorized release of CPNI.

**Signed:**



James A. Penney

Executive Vice President

Business and Legal Affairs

WaveDivision Holdings, LLC

WaveDivision I, LLC

WaveDivision II, LLC

WaveDivision III, LLC

Cedar Communications, LLC

WaveDivision IV, LLC

Wave/Powers Acquisition, LLC

WaveDivision VI, LLC

Astound Broadband, LLC

WaveDivision VII, LLC

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

**EB Docket No. 06-36**

**Statement Regarding CPNI Operating Procedures**

Wave's CPNI Operating Procedures ensure that Wave and the Wave Subsidiaries are and will be in compliance with 47 U.S.C. 222 and the rules contained in Title 47, Chapter 1, Subchapter B. Part 64, Subpart U of the Code of Federal Regulations, 47 C.F.R. § 64.2001 *et seq.* of the commission's rules. All of Wave's CPNI Operating Procedures are the Operating Procedures of any and all Wave Subsidiaries. Included among the provisions of Wave's CPNI Operating Procedures are:

- A requirement that Wave have at all times a CPNI Compliance Officer to supervise the implementation of Wave's CPNI Operating Procedures.
- Detailed procedures for safeguarding CPNI, including procedures for customer authentication and password protection of CPNI, in compliance with § 64.2010.
- Detailed procedures for determining what type of customer approval is necessary for use, disclosure and access to CPNI, in compliance with § 64.2007. In those instances in which customer approval is required for use of CPNI, Wave obtains approval through verbal, written, or electronic methods in compliance with § 64.2007.
- Detailed procedures for obtaining opt-out and opt-in approval from customers. For one-time use of CPNI on inbound and outbound customer telephone contacts for the duration of the call, Wave representatives obtain verbal consent from the customer pursuant to the Commission's rules.
- A requirement that the billing system records for customers' accounts allow the status of customers' CPNI approval to be easily ascertained prior to the use of CPNI, in compliance with § 64.2009.
- A requirement for supervisory approval for all outbound marketing campaigns, including determination of any customer approval requirements for the campaigns, in compliance with § 64.2009.
- A requirement that personnel be trained to identify what customer information is CPNI, as defined in § 64.2003, and that personnel be trained as to when they are and are not authorized to use CPNI, in compliance with § 64.2009.
- A written disciplinary process for misuse of CPNI, in compliance with § 64.2009.
- Detailed filing, notice and recordkeeping requirements.
- Detailed procedures to be followed in the event of a breach of CPNI, in compliance with § 64.2011.

Wave and the Wave Subsidiaries were not required to take action against any data brokers in 2009, nor did Wave or any of the Wave Subsidiaries receive any customer complaints based on unauthorized release of CPNI in 2009.