

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

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2009

Date filed: February 26, 2010

Name of company covered by this certification: PRWireless, Inc. d/b/a OPEN Mobile

Form 499 Filer ID: 826742

Name of signatory: Federico Grosso

Title of signatory: VP-Finance

I, Federico Grosso, certify that I am an officer of PRWireless, Inc. d/b/a OPEN Mobile (“OPEN Mobile”), and acting as an agent of OPEN Mobile, that I have personal knowledge that OPEN Mobile 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 procedures of OPEN Mobile ensure that OPEN Mobile is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission’s rules.

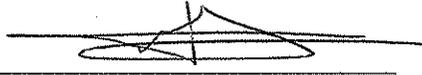
OPEN Mobile has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.

OPEN Mobile has not received any customer complaints in the past year concerning the unauthorized release of CPNI, other than as indicated below:

- Case # 1: Customer # 6470 contacted the Open Mobile Call Center on May 4, 2009, to inform the company about an alleged disclosure of call details and other CPNI to a third party pursuant to an in-person request made at a company store. The customer alleged that an unknown store employee must have released the information to a third party without the customer’s consent. The company’s subsequent investigation revealed that the customer account had been accessed only once by a store employee and that occurred in March 2009 not in May 2009. That employee then was interviewed by the Corporate Security Office as a part of the investigation into the alleged release of CPNI. The employee had no recollection of any events or inquiries pertaining to this particular account, and disavowed any release of CPNI to an unauthorized person. Additionally, while in-store personnel have access to certain customer records, they do not have access to the system database that contains the call detail records. The investigation also concluded that there was no visual (including the in-store closed-circuit television) or other evidence that indicated that there was a release of CPNI to a third party at or around the time that the customer account was accessed. In sum, the company’s investigation was unable to confirm any unauthorized release of CPNI and the customer was so informed. Nonetheless, a telephone number change was authorized at no cost to the customer.

- Case # 2: Customer # 5823 visited the Open Mobile Corporate Offices on September 11, 2009. The customer claimed that his wife, a police woman, obtained call detail using a fraudulent court subpoena order. An investigation was conducted and concluded that no order or subpoena, fraudulent or otherwise, was served upon or responded to by the company with respect to this customer account. Consequently, the company determined that no unauthorized release of CPNI data had occurred. The customer was notified of the investigation results.
- Case # 3: Customer # 6682 called the Open Mobile Call Center on October 20, 2009 alleging that a company customer service employee was disclosing the customer's text messages to a third party who was a friend of the customer service employee. A subsequent investigation revealed that, on October 20, 2009, the customer service employee in question entered the company's system database and obtained the customer's telephone numbers and messages details. Confronted with the facts, the employee admitted that certain call detail information of this customer was provided to the third party without the customer's authorization, which was a clear violation of the company's policy and the terms of the employee's employment. The employee resigned immediately. The customer was informed of the results of the investigation and of the employee's resignation.

Signed _____

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke, positioned above a solid horizontal line.

Statement – CPNI Certification 2009

OPEN Mobile is a provider of Commercial Mobile Radio Service (“CMRS”) and does not offer telecommunications service to its customers in categories other than CMRS. OPEN Mobile does not currently use customer proprietary network information (“CPNI”) for the purpose of marketing services other than CMRS, customer premises equipment, and information services to its customers. Nor does OPEN Mobile share CPNI with affiliates or with third parties, other than pursuant to requests by duly authorized law enforcement officials. Consequently, OPEN Mobile is not required to maintain either an “opt-in” or “opt-out” system with respect to CPNI. In the event that OPEN Mobile were to change the ways in which it uses CPNI, any such change would be reviewed and approved by the company’s VP-Finance, who is familiar with the FCC’s rules governing the use of CPNI and who is the certifying officer for CPNI purposes.

OPEN Mobile has established procedures to maintain the security of CPNI of its customers. For example, OPEN Mobile maintains all CPNI on a secure server, and CPNI is accessible only through a custom reporting tool available to specially-trained employees at corporate headquarters and in the field. At the present time, OPEN Mobile has two separate processes concerning the disclosure of CPNI, one covering its customers who receive service via a prepaid model similar to that of MetroPCS (representing over 99 percent of its customer base) and the other covering its customers who receive traditional postpaid services (representing the remaining customers, who account for less than 1 percent of its customer base).

OPEN Mobile does not release call detail CPNI relating to its prepaid customers by telephone, by Internet, or in person except to law enforcement personnel upon presentation of a valid subpoena or court order. OPEN Mobile releases non-call detail CPNI to its prepaid customers via the Internet only after the customer provides a valid user ID and password.

For the small percentage of OPEN Mobile’s customers who subscribe to postpaid service, OPEN Mobile releases call detail CPNI to customers in the following circumstances: (1) an in person request and

presentation of valid identification; (2) a request via the Internet and the customer's provision of the correct password; or (3) a request by telephone, in which case the records are mailed to a customer's address of record. In the event that a subscriber requesting CPNI by Internet cannot supply a valid password, CPNI will be released only upon the presentation of unique identifying information establishing that the requesting party is, in fact, the subscriber whose records are requested. In such circumstances, a customer's online password is reset by e-mail confirmation to the customer's e-mail address of record.