

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

**EB Docket 06-36**

**Annual 64.2009(e) CPNI Certification for 2010 covering the prior calendar year 2009**

**Date filed:** February 26, 2010

**Name of company covered by this certification:**

This certification is made by the identified officers of Time Warner Cable Inc. on behalf of TWC Digital Phone LLC and Erie Digital Phone, LLC, both interconnected VoIP providers, and the Time Warner Cable Inc. subsidiaries that are telecommunications carriers subject to the Commission's rules regarding customer proprietary network information ("CPNI") (collectively, the "TWC Covered Entities"). Each of the TWC Covered Entities is identified in Exhibit A, attached hereto.

**Form 499 Filer ID:**

The Form 499 Filer IDs for the Covered Entities are identified in Exhibit A, attached hereto.

**Name and Title of Signatories:**

Sam Howe, Executive Vice President, Chief Marketing Officer  
Craig Collins, Senior Vice President, Commercial Sales and Marketing  
Kevin MacDermott, Senior Vice President, Commercial Operations

**Certification:**

I, Samuel Howe, Executive Vice President, Chief Marketing Officer of Time Warner Cable Inc., certify that I am an officer of Time Warner Cable Inc., and acting as an agent of the company, that I have personal knowledge that the TWC Covered Entities have established operating procedures that are adequate to ensure their compliance with the Commission's CPNI rules. *See 47 C.F.R. § 64.2001 et seq.*

I, Craig Collins, Senior Vice President, Commercial Sales and Marketing of Time Warner Cable Inc., certify that I am an officer of Time Warner Cable Inc., and acting as an agent of the company, that I have personal knowledge that the TWC Covered Entities have established operating procedures that are adequate to ensure their compliance with the Commission's CPNI rules. *See 47 C.F.R. § 64.2001 et seq.*

I, Kevin MacDermott, Senior Vice President, Commercial Operations of Time Warner Cable Inc., certify that I am an officer of Time Warner Cable Inc., and acting as an agent of the company, that I have personal knowledge that the TWC Covered Entities have established

operating procedures that are adequate to ensure their compliance with the Commission's CPNI rules. See 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is a statement explaining how operating procedures of the TWC Covered Entities' ensure that they comply with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

Neither Time Warner Cable Inc. nor any of the TWC Covered Entities has taken any actions against data brokers in 2009.

In 2009, the TWC Covered Entities received seven (7) customer complaints involving allegations of unauthorized releases of CPNI. Three (3) of these complaints involved allegations that a customer's spouse or ex-spouse had made unauthorized use of a customer's identity data to access CPNI, and were resolved promptly by the relevant TWC Covered Entity. One (1) of these complaints involved an accusation that an employee had improperly accessed a customer's calling records, and resulted in that employee being subjected to disciplinary action. The remaining three (3) complaints, after investigation, did not in fact involve the unauthorized release of CPNI or were withdrawn.

The company represents and warrants that the above certification is consistent with 47 C.F.R. § 1.17, which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may be subject to enforcement action.



\_\_\_\_\_  
Samuel Howe

Dated: 2.25, 2010

\_\_\_\_\_  
Craig Collins

Dated: \_\_\_\_\_, 2010

\_\_\_\_\_  
Kevin MacDermott

Dated: \_\_\_\_\_, 2010

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Samuel Howe

Dated: \_\_\_\_\_, 2010



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Craig Collins

Dated: 2/25, 2010

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Kevin MacDermott

Dated: \_\_\_\_\_, 2010

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Attached to this certification is a statement explaining how operating procedures of the TWC Covered Entities' ensure that they comply with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

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Samuel Howe

Dated: \_\_\_\_\_, 2010

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Craig Collins

Dated: \_\_\_\_\_, 2010

  
Kevin MacDermott

Dated: Feb 24, 2010

## **Statement Regarding Compliance with CPNI Regulations**

The internal operating procedures and practices of the TWC Covered Entities, as defined in the attached Certification, ensure that the TWC Covered Entities comply with the Commission's rules at 47 C.F.R. § 64.2001, *et. seq.*, governing the use and disclosure of Customer Proprietary Network Information ("CPNI"). The TWC Covered Entities' compliance with the Commission's CPNI rules is demonstrated by the policies, practices, and training procedures detailed below.

In connection with the use of CPNI for marketing purposes in 2009, the TWC Covered Entities did not use CPNI for the purpose of marketing service offerings that are not within the category of service that the TWC Covered Entities provide to customers. The TWC Covered Entities in 2009 did not use CPNI to market service offerings among the same categories of service to which the customer already subscribes. TWC Covered Entities have established a supervisory review and approval process that calls for records of such offerings to be maintained for a minimum of one year.

The TWC Covered Entities release or disclose customer CPNI to third parties only with the customer's written consent, as required by law or as described in the following paragraph. As such, without the customer's written consent, CPNI will only be disclosed if the request is made pursuant to a valid court order, warrant or appropriate notice from a government agency.

Other than as described above, the TWC Covered Entities release or disclose customers' CPNI only for the express limited purpose of initiating, rendering, billing and/or collecting for services rendered by the TWC Covered Entities. In such cases, disclosure is made only pursuant to a written and binding agreement that contains restrictions regarding the confidentiality and safeguarding of customer information.

The customer service representatives of the TWC Covered Entities do not discuss or disclose customers' call detail records on customer initiated telephone calls, except the limited discussion of call detail records after the customer first—without the customer service representative's assistance—identifies and provides specific information about the particular call to be discussed, including the call date, call time, and telephone number called. The TWC Covered Entities accordingly have not established account passwords for telephone access to call detail records. When a customer requests call detail records during a customer initiated telephone call, the TWC Covered Entities provide that information by directing the customer to the TWC Covered Entities' secure online Web portal and/or by mailing the call detail records to the customer's address of record.

The TWC Covered Entities do not provide any access to customers' CPNI or call detail records via an online web portal until the customer requesting such information provides a password that has been established by the customer after that customer has been authenticated through a method that does not include the use of readily available biographical information. The TWC Covered Entities notify customers immediately whenever a customer's password, means of authentication, online account or address associated with the account is created or changed.

The TWC Covered Entities do not provide customers with access to CPNI at retail locations unless the customer has presented a valid, government issued photo identification matching the customer's account information.

The TWC Covered Entities provide CPNI to business customers only as described above or, for business customers who have been assigned a dedicated account representative, pursuant to contractual provisions that specifically address the protection of CPNI.

The TWC Covered Entities also employ several internal operating processes and procedures to ensure compliance with the Commission's CPNI regulations. The TWC Covered Entities require that all relevant personnel are informed of and follow company-approved procedures for authenticating customers before disclosing CPNI. The TWC Covered Entities administer an employee disciplinary program to ensure compliance with internal procedures. This program includes penalties for the violation of internal privacy protection procedures, including the potential termination of employees, when appropriate. The TWC Covered Entities have standardized processes for tracking and resolving customer complaints that relate to unauthorized access to CPNI and for identifying, responding to, documenting and, as appropriate, notifying law enforcement and customers of any breaches of customer CPNI. In addition, the TWC Covered Entities have made publicly available materials that inform customers about CPNI protections and the TWC Covered Entities' authentication and protection practices.

**Exhibit A**

TWC Covered Entities	499 FID
Eric Digital Phone, LLC	826359
Time Warner Cable Information Services (Alabama), LLC	825064
Time Warner Cable Information Services (Arizona), LLC	825739
Time Warner Cable Information Services (Arkansas), LLC	825260
Time Warner Cable Information Services (California), LLC	824840
Time Warner Cable Information Services (Georgia), LLC	825056
Time Warner Cable Information Services (Hawaii), LLC	825254
Time Warner Cable Information Services (Idaho), LLC	826406
Time Warner Cable Information Services (Indiana), LLC	825060
Time Warner Cable Information Services (Kansas), LLC	824497
Time Warner Cable Information Services (Kentucky), LLC	825738
Time Warner Cable Information Services (Louisiana), LLC	824918
Time Warner Cable Information Services (Maine), LLC	824084
Time Warner Cable Information Services (Massachusetts), LLC	825252
Time Warner Cable Information Services (Minnesota), LLC	825262
Time Warner Cable Information Services (Mississippi), LLC	824838
Time Warner Cable Information Services (Missouri), LLC	824496
Time Warner Cable Information Services (Nebraska), LLC	825092
Time Warner Cable Information Services (New Hampshire), LLC	824908
Time Warner Cable Information Services (New Jersey), LLC	825258
Time Warner Cable Information Services (New Mexico), LLC	826407
Time Warner Cable Information Services (North Carolina), LLC	824186
Time Warner Cable Information Services (Ohio), LLC	824836
Time Warner Cable Information Services (Oklahoma), LLC	825062
Time Warner Cable Information Services (Pennsylvania), LLC	825256
Time Warner Cable Information Services (South Carolina), LLC	825090
Time Warner Cable Information Services (Tennessee), LLC	825086
Time Warner Cable Information Services (Texas), LLC	824184
Time Warner Cable Information Services (Virginia), LLC	826404
Time Warner Cable Information Services (Washington), LLC	826275
Time Warner Cable Information Services (West Virginia), LLC	825058
Time Warner Cable Information Services (Wisconsin), LLC	825088
Time Warner ResCom of New York, LLC	819138
TWC Digital Phone, LLC	826610
TWC Information Services (Florida), LLC	825054