

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

EB Docket 06-36

Annual 64.2009(E) CPNI Certification for year 2011 covering the prior calendar year 2010.

Date Filed: February 25, 2011

Name of company(s) covered by this certification: EarthLink, Inc.

Form 499 Filer ID: 824758

Name of signatory: Samuel R. DeSimone, Jr.

Title of signatory: General Counsel

I, Samuel R. DeSimone, 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 in compliance 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.

The company has not taken any actions against data brokers in the past year.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

The company represents and warrants 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.

Signed 

Attachments: Accompanying Statement explaining CPNI procedures