

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

**EB Docket 06-36**

Annual 64.2009(e) CPNI Certification

Date filed: February 29, 2012

Name of company covered by this certification: Cellco Partnership d/b/a Verizon Wireless (see attachment)

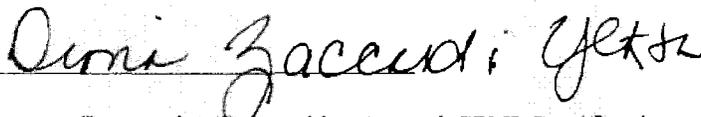
Form 499 Filer ID: 822750 (see attachment)

Name of signatory: Diana Zaccardi-Yekta

Title of signatory: Staff Vice President -- Marketing

I, Diana Zaccardi-Yekta, 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. As detailed in the attached statement, the company has commenced no new actions, as that term is defined by the Commission, against data brokers in the past year. In addition, as detailed in the attached statement, the company has received customer complaints in the past year concerning the unauthorized release of CPNI.

Signed 

Attachments: Companies Covered by Annual CPNI Certification of Cellco Partnership  
Verizon Wireless Statement of Compliance  
Explanation of Actions Taken Against Data Brokers  
Summary of Customer Complaints

**Companies Covered by Annual CPNI Certification of  
Cellco Partnership d/b/a Verizon Wireless<sup>1</sup>**

ALLTEL Central Arkansas Cellular Limited Partnership (806208)  
ALLTEL Communications, LLC (823790)  
ALLTEL Communications of Arkansas RSA 12 Cellular Limited Partnership (806033)  
ALLTEL Communications of LaCrosse Limited Partnership (806033)  
ALLTEL Communications of North Carolina Limited Partnership (818374)  
ALLTEL Communications of Saginaw MSA Limited Partnership (806033)  
ALLTEL Northern Arkansas RSA Limited Partnership (806205)  
Arkansas RSA #2 (Searcy County) Cellular Limited Partnership (818074)  
Badlands Cellular of North Dakota Limited Partnership (805242)  
Cellco Partnership d/b/a/ Verizon Wireless (822750)<sup>2</sup>  
Charleston-North Charleston MSA Limited Partnership (818424)  
Colorado 7 – Saguache Limited Partnership (805200)  
Fayetteville MSA Limited Partnership (806222)  
Iowa RSA 7 Limited Partnership (804882)  
Iowa 8 – Monona Limited Partnership (805215)  
Iowa RSA 10 General Partnership (804873)  
Jackson Cellular Telephone Co., Inc. (806033)  
Michigan RSA #9 Limited Partnership (806033)  
Missouri RSA #15 Limited Partnership (806238)  
Missouri RSA 2 Partnership (806226)  
Missouri RSA 4 Partnership (806232)  
New York RSA 2 Cellular Partnership (820293)  
Northwest Arkansas RSA Limited Partnership (806254)  
Oklahoma RSA No.4 South Partnership (806227)  
Pascagoula Cellular Partnership (806033)  
Petersburg Cellular Partnership (818432)  
RCC Minnesota, Inc. (FRN 0002622934)  
Rural Cellular Corporation (815018)  
San Isabel Cellular of Colorado Limited Partnership (805206)  
St. Lawrence Seaway Cellular Partnership (820289)  
Texas RSA #11B Limited Partnership (818450)  
Texas RSA 7B2 Limited Partnership (818442)  
Tyler/Longview/Marshall MSA Limited Partnership (818402)  
Virginia RSA 2 Limited Partnership (818492)  
Wisconsin RSA #1 Limited Partnership (806033)  
Wisconsin RSA #2 Partnership (806033)  
Wisconsin RSA #6 Partnership, LLP (806033)  
Wisconsin RSA No.7 Partnership (806033)  
Wisconsin RSA No.8 Limited Partnership (806033)  
WUE, Inc. (820460)  
Wyoming 1 – Park Limited Partnership (805260)

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<sup>1</sup> Cellco Partnership d/b/a Verizon Wireless acquired Rural Cellular Corporation in 2008 and Alltel Corporation in 2009. Following those acquisitions, a number of the entities listed herein were collapsed into Cellco or to Alltel Communications, LLC. As a result, some of the Form 499 filer identification numbers listed here may no longer be active.

<sup>2</sup> Cellco files a consolidated 499 for itself and all other Verizon Wireless licensees not specifically listed.

## Verizon Wireless Statement of Compliance

### **Rule § 64.2005 Use of Customer Proprietary Network Information Without Customer Approval**

Verizon Wireless is a provider of commercial mobile radio services (“CMRS”). It does not use, disclose, or permit access to CPNI, other than pursuant to the “total service approach” authorized by section 64.2005(a) and as otherwise authorized by sections 64.2005(b), (c), and (d), unless it has customer approval to do so pursuant to the procedures described below with respect to section 64.2007. It does not use, disclose, or permit access to CPNI to identify or track customers that call competing service providers.

### **Rule § 64.2007 Approval Required for Use of Customer Proprietary Network Information**

Verizon Wireless seeks opt-in approval from certain business customers for the purpose of marketing the services and products of its affiliates. Pursuant to section 64.2007(a)(2), when Verizon Wireless obtains approval from business customers or a business customer indicates disapproval, this approval or disapproval remains in effect until the customer revokes or limits such approval or disapproval. Pursuant to section 64.2007(a)(3), Verizon Wireless maintains a record of its business customers’ approval for at least one year.

Verizon Wireless also seeks opt-out approval from some of its business and all consumer customers for the purpose of marketing the communications-related services of its affiliates. Pursuant to section 64.2007(a)(2), when Verizon Wireless obtains approval from customers, this approval remains in effect for two years, unless the customer revokes or limits such approval before then. After two years, Verizon Wireless provides those customers from whom it obtained approval another CPNI notice and opportunity to opt out, pursuant to section 64.2008(d)(2). When a customer indicates disapproval, that disapproval remains in effect indefinitely. Pursuant to section 64.2007(a)(3), Verizon Wireless maintains a record of its customers’ approval for at least one year.

Verizon Wireless does not seek opt-in or opt-out CPNI consent from its customers for any other purpose pursuant to section 64.2007.

### **Rule § 64.2008 Notice Required for Use of Customer Proprietary Network Information**

**Opt-in Approval.** Verizon Wireless seeks opt-in approval from certain business customers for the purpose of marketing the services and products of its affiliates. The contents of the notice it provides to these customers comply with the general requirements for notices and the specific requirements for opt-in notices set forth in section 64.2008. Verizon Wireless notifies these business customers of their right to restrict use, disclosure, and access to their CPNI. It maintains records of notification for

at least one year. Notices are provided to business customers to solicit approval to use, disclose, and permit access to customers' CPNI. The notice provides information to enable the business customer to make an informed decision as to whether to permit Verizon Wireless to use, disclose, or permit access to the customer's CPNI.

Specifically, the notice states that CPNI is certain information relating to the quantity, technical configuration, type, destination, location, and amount of use of telecommunications services purchased and related local and toll billing information that is made available to Verizon Wireless solely by virtue of the customer's relationship with Verizon Wireless. The notice states that the customer has a right, and Verizon Wireless has a duty, under federal law, to protect the confidentiality of CPNI. The notice seeks consent for Verizon Wireless and its Verizon affiliates (the "Verizon Companies") to share the customer's information among the Verizon Companies and with Vodafone Group Plc and its affiliates and partner networks (the "Vodafone Companies"). The notice states that with permission the Verizon Companies may use, disclose, and/or permit access to CPNI to their agents, contractors, and partners, to better serve the customer and for the purpose of offering the customer any and all products and services available from Verizon Companies and the Vodafone Companies. The notice states that the customer has the right to disapprove of these uses, and the customer may withdraw consent at any time.

The notice is type written in sufficiently large font, and it is provided to the customer either as a separate document; or in a separate, conspicuously labeled section of the customer service agreement. The notice states that the denial or withdrawal of consent will not affect provisioning of services to which the customer subscribes. No portion of the notice is translated into another language.

**Opt-Out Approval.** Verizon Wireless also seeks opt-out approval from some of its business and all consumer customers for the purpose of marketing the communications-related services of its affiliates. The contents of the notices it provides to these customers comply with the general requirements for notices and the specific requirements for opt-out notices set forth in section 64.2008. Verizon Wireless notifies these customers of their right to restrict use, disclosure, and access to their CPNI. It maintains records of notification for at least one year. The individual customer notices are provided at the same time that Verizon Wireless solicits approval to use, disclose, or permit access to customers' CPNI. The notices provide information to enable the customer to make an informed decision as to whether to permit Verizon Wireless to use, disclose, or permit access to the customer's CPNI.

Specifically, the notices state that CPNI is certain information relating to the type, destination, technical configuration, location, and amount of use of telecommunications services purchased and related billing information that is made available to Verizon Wireless solely by virtue of the customer's relationship with Verizon Wireless. The notices state that the customer has a right, and Verizon Wireless has a duty, under federal law, to protect the confidentiality of CPNI. The notices seek consent to share the customer's information among the Verizon family of companies and Vodafone. In

particular, the notices state that with permission CPNI will be shared among Verizon Wireless' affiliates, agents and parent companies, including Vodafone, and their subsidiaries to better serve the customer's communications needs and to identify, offer and provide products and services to meet the customer's requirements. The notices state that the customer has the right to disapprove of these uses, and the customer may withdraw consent at any time. The notices state that the denial or withdrawal of consent will not affect provisioning of services to which the customer subscribes. The notices are type written in sufficiently large font.

The opt-out notice advises customers that they can opt out by dialing the toll free number provided in the notice. That number is available 24 hours a day, seven days a week. Customers are also informed that they may opt out through the "My Verizon" on-line platform or by calling Customer Care during its regular hours. The entire notice is translated into Spanish for those customers for whom Verizon Wireless provides a Spanish bill. In addition, some customers received opt-out CPNI notices via e-mail, consistent with the provisions of section 64.2008(d)(3). Verizon Wireless waits a minimum of 33 days after mailing customers notice and providing an opportunity to opt out before assuming customer approval.

#### **Rule § 64.2009 Safeguards Required for Use of Customer Proprietary Network Information**

Verizon Wireless has instituted training and implemented a system designed to establish the status of the customer's CPNI approval prior to the use or disclosure of CPNI. Verizon Wireless maintains documentation on its intranet site, available to all employees, regarding procedures for safeguarding CPNI.

Training: Consistent with the requirements of section 64.2009(b), Verizon Wireless has an extensive training program that fully informs all employees, including sales, marketing, and customer service personnel, about the CPNI rules and that failure to comply with the CPNI rules can be the grounds for disciplinary action, up to and including dismissal. Verizon Wireless has a comprehensive "Code of Conduct" that specifically addresses the importance of compliance with CPNI requirements, trains new employees at time of hire on the Code, and offers generalized and specialized training on the Code periodically. The Code defines CPNI and specifically prohibits its disclosure without complying with the company's policies for disclosing such information.

Verizon Wireless' Office of Integrity and Compliance ("OIC") has primary responsibility for drafting, disseminating, and training on the Code. It also maintains a confidential 800 number for employees to report possible violations of the Code, including violations related to customer privacy. Employees are advised of the 800 number via the Code, postings in the workplace, periodic e-mails, and an OIC brochure. The OIC brochure specifically instructs employees to report "misuse of confidential or proprietary information" and violations of law or regulations relating to "consumer protection."

Training on maintaining security of CPNI includes the following:

- Initial mandatory Code of Conduct training for all employees.
- Periodic mandatory Code of Conduct training for all employees.
- Training all employees on Keys for Safeguarding Privacy and Confidential Information
- E-mail alerts to all employees.
- Postings on the Verizon Wireless internal intranet site, "VZ Web."
- Quarterly distribution to all employees of "Integrity Times," a newsletter addressing ethics/compliance issues and advising employees on how to do their jobs in an ethical manner consistent with our Code of Conduct and the law.
- Methods and procedures on the use of CPNI.

Verizon Wireless' Workforce Development and Training Group is responsible for new hire and all developmental training for Verizon Wireless employees. Verizon Wireless requires employees to take specific courses that address the need to protect the privacy of customer information, and instructs employees, through written materials and courses, on procedures for doing so. Verizon Wireless trains newly hired employees of the company on Privacy of Records within their first day or first access to a company computer.

To ensure that Verizon Wireless agents who have access to confidential information receive ongoing training, the OIC developed an online program called "Protecting Confidential Customer Information." The goal of this training course is to help agents protect sensitive information about Verizon Wireless and its customers. Verizon Wireless requires all of its indirect agents and customer service outsource vendors to complete this training, unless the entity has a comparable version of the training as a requirement for its employees.

Verizon Wireless has also trained its employees responsible for seeking, tracking, and maintaining records of consent from business customers. The company provides periodic online and/or face-to-face training to sales and sales support personnel, including sales operations, marketing, legal, finance, and database managers, concerning what CPNI is, how it may be used, how it must be protected, when it may be shared and with whom and for what purposes, and how the company maintains records of CPNI consents and disclosures, as well as updates on new FCC rules and new tools for managing the CPNI compliance process.

For a portion of 2011, Verizon Wireless supported markets that were divested and transitioned to other wireless providers through its subsidiary, Alltel Communications, LLC. These markets were supported by Verizon Wireless through employees that were formerly employed by Alltel. These former Alltel employees received CPNI training.

Records of Marketing Campaigns: Pursuant to section 64.2009(c), Verizon Wireless tracks its consumer marketing and sales campaigns that use CPNI, and records of these campaigns are retained for at least one year. A description of each campaign, the CPNI

that was used in the campaign, the date and purpose of the campaign, and what products or services were offered as part of the campaign resides in Verizon Wireless' secure CPNI databases. In all instances where opt-out consent is sufficient for use of CPNI in marketing or sales campaigns by affiliates, requests for customer information are processed by Verizon Wireless' Data Warehouse team, which maintains records of customers' CPNI opt-out status. For these marketing and sales campaigns by affiliates, the Data Warehouse team excludes all customers who have opted out of sharing CPNI. As stated previously, Verizon Wireless has sought opt-in CPNI consent only from certain business customers. In instances where opt-in consent is required, the Verizon Wireless enterprise customer sales team is required, prior to the use of CPNI, to send a request to have a database manager check the Enterprise Customer Profile Database to determine whether the customer has provided consent. In addition, the Data Warehouse has adopted a Data Share Request / Approval form that must be completed prior to sharing CPNI outside of Verizon Wireless. The Data Warehouse maintains records of all such requests.

Supervisory Review Process: Pursuant to section 64.2009(d), Verizon Wireless has established a supervisory review process for all outbound marketing programs before they are implemented to ensure compliance with the CPNI rules, and records of compliance are maintained for at least one year. Verizon Wireless strictly limits the number of employees who have access to customer information that is used to generate outbound marketing campaigns. Call detail records are not available in the process used to generate outbound marketing campaigns. Sales personnel do not have the authority to initiate marketing programs independently from this process.

Certification: Pursuant to section 64.2009(e), this statement of compliance is preceded by a certificate signed by an officer of Verizon Wireless. An explanation of actions taken against data brokers and a summary of customer complaints concerning the unauthorized release of CPNI is attached below.

Notification of Opt Out Failure: Verizon Wireless has in place a process to provide written notice to the Commission within five business days in the event of a failure of any of its opt-out mechanisms that is more than an anomaly. The written notice meets the requirements of section 24.2009(f).

### **Rule § 64.2010 Safeguards on the Disclosure of Customer Proprietary Network Information**

Verizon Wireless has taken reasonable measures designed to discover and protect against attempts to gain unauthorized access to CPNI. Verizon Wireless requires appropriate authentication prior to releasing non-call detail CPNI to a customer. Verizon Wireless does not disclose call detail information over the telephone, based on customer-initiated contact. Verizon Wireless also does not provide online access to any CPNI unless the customer first provides a password that is established in accordance with section 64.2010(e). Verizon Wireless representatives disclose CPNI at its retail locations only to customers who present valid photo IDs that match the customer's account information.

Verizon Wireless notifies its customers through either a text message, e-mail, letter to address of record, or voice call to the telephone number of record whenever a password, customer response to a back-up means of authentication, online account, or address of record is created or changed, except when service is initiated. The notification does not reveal the changed information and is not sent to the new account information. For a limited number of business accounts, notification of online account setup, password reset, and secret question reset was not delivered to an address or phone number of record on the account. This issue has been corrected. Telephone notification of significant account changes was delayed for a limited number of customers because the file containing the list of mobile telephone numbers for notification was not delivered to the correct server for processing the notifications. This issue has been corrected and notification was provided. Consumer customers who changed an electronic address of record online between July 31, 2011 and January 6, 2012 did not receive a significant account change notification. These electronic addresses are no longer being used as addresses of record and the system issue that caused this error has been corrected. As disclosed in the Verizon Companies' Annual Certification, certain call center and online activities should have but did not trigger a significant account change notice, including for certain Verizon Wireless customers. Verizon addressed these activities by establishing procedures and implementing systems or system changes in order to trigger a significant account change notification when these activities occurred. To Verizon Wireless' knowledge, these situations did not result in any unauthorized disclosure of CPNI.

#### **Rule § 64.2011 Notification of Customer Proprietary Network Information Security Breaches**

In the event a breach reportable under section 64.2011 occurs, Verizon Wireless has established the following notification procedures: No later than seven business days after determination of a CPNI breach, as defined in section 64.2011(e), Verizon Wireless notifies law enforcement through the reporting facility maintained at <http://www.fcc.gov/eb/cpni>. Verizon Wireless does not notify its customers of or publicly disclose the breach until at least seven full business days have passed after notification of law enforcement, unless Verizon Wireless believes there is an extraordinarily urgent need to notify any class of affected customers before that time. In that case, Verizon Wireless notifies and consults with the relevant investigating agency prior to notifying affected customers, in accordance with section 64.2011(b)(2). If the relevant investigating agency directs Verizon Wireless not to disclose the breach beyond the seven-business day period, in accordance with section 64.2011(b)(3), Verizon Wireless will not disclose the breach until the agency provides notice that disclosure will no longer impede or compromise a criminal investigation or national security. In 2011, there were three breaches about which Verizon Wireless believed there was an extraordinarily urgent need to notify affected customers. Verizon Wireless requested permission from law enforcement to notify the affected customers immediately and permission was granted.

After completing the process of notifying law enforcement in accordance with section

64.2011(b), Verizon Wireless notifies its customers of the breach of those customers' CPNI. Verizon Wireless maintains records of breaches, notification to law enforcement, and customer notification for at least two years. Those records include, when available, dates of discovery and notification, descriptions of the CPNI that was breached, and the circumstances of the breach.

## **Explanation of Actions Taken Against Data Brokers**

Actions Against Data Brokers: In 2011, Verizon Wireless commenced no new actions, as defined by the Commission, against data brokers.

Information about Processes Used by Pretexters to Access CPNI and Steps Verizon Wireless Is Taking to Protect CPNI: In 2011, Verizon Wireless investigated the use of pretexting, along with other methods, in a fraudulent scheme to steal devices from Verizon Wireless. The result of this investigation was provided to the United States Secret Service for further investigation. Verizon Wireless also published communications to employees or agents during 2011 containing guidance about protecting customer privacy and safeguarding sensitive data, including alerts against certain pretexting techniques Verizon Wireless had recently observed. Other steps taken by Verizon Wireless in response to the threat of pretexting are detailed elsewhere in this submission.

## **Summary of Customer Complaints**

Summary of Customer Complaints in 2011 Concerning Unauthorized Release of CPNI:  
In 2011, Verizon Wireless received 48 substantiated complaints from its customers regarding unauthorized release of their CPNI. These complaints fell into the following categories (many complaints fell within two categories):

Complaints involving improper access by employees: 35

Complaints involving improper disclosure to unauthorized individuals: 43

Complaints involving improper online access by unauthorized individuals: 0