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March 1, 2012

**VIA ECFS**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

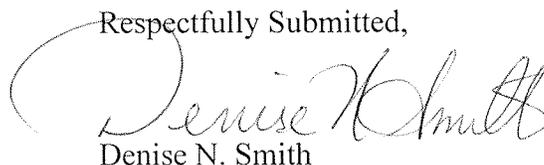
Re: Annual Customer Proprietary Network Information Compliance  
Certification; EB Docket No. 06-36

Dear Ms. Dortch:

On behalf of Bresnan Communications, LLC ("Bresnan") and pursuant to 47  
C.F.R. § 64.2009(e), attached please find Bresnan's 2012 Annual Customer Proprietary Network  
Information Compliance Certification.

Please contact the undersigned at (202) 342-8614 if you have any questions  
regarding this filing.

Respectfully Submitted,



Denise N. Smith

*Counsel to Bresnan Communications, LLC*

**BRESNAN COMMUNICATIONS, LLC**

**ANNUAL 47 C.F.R. § 64.2009(e) CPNI CERTIFICATION**

**EB DOCKET 06-36**

Annual Section 64.2009(e) CPNI Certification for 2012 covering the prior calendar year 2011.

Name of Companies: Bresnan Communications, LLC  
Bresnan Broadband of Montana, LLC  
Bresnan Broadband of Wyoming, LLC  
Bresnan Broadband of Colorado, LLC  
Bresnan Broadband of Utah, LLC

Form 499 Filer ID: 824408 (Bresnan Communications, LLC)

Name of Signatory: Kristin Dolan

Title of Signatory: Senior Executive Vice President, Product Management & Marketing

I, Kristin Dolan, certify that I am an officer of the company named above ("Company"), 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 Federal Communications Commission's ("Commission's" or "FCC's") Customer Proprietary Network Information ("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. *See 47 C.F.R. § 64.2009(e).*

The Company has not taken any actions (*i.e.* proceedings instituted or petitions filed at either state commissions, the court system, or at the Commission) against data brokers during the above-referenced certification period. The Company also has no knowledge or experience regarding the specific processes pretexters are using to attempt to access CPNI. The steps that the Company is taking to protect CPNI are described in the attached statement that summarizes the Company's operating procedures for compliance with the Commission's CPNI rules. The Company has not received any customer complaints concerning the unauthorized release of CPNI during the above-referenced certification period.

Dated: 2/29/12

Signed: 

Kristin Dolan  
Senior Executive Vice President,  
Product Management & Marketing  
Bresnan Communications, LLC  
Bresnan Broadband of Montana, LLC  
Bresnan Broadband of Wyoming, LLC  
Bresnan Broadband of Colorado, LLC  
Bresnan Broadband of Utah, LLC

**STATEMENT REGARDING OPERATING PROCEDURES  
IMPLEMENTING 47 C.F.R. SUBPART U  
GOVERNING USE OF  
CUSTOMER PROPRIETARY NETWORK INFORMATION (CPNI)**

Bresnan Communications, LLC, Bresnan Broadband of Montana, LLC, Bresnan Broadband of Wyoming, LLC, Bresnan Broadband of Colorado, LLC, and Bresnan Broadband of Utah, LLC (collectively, "Bresnan" or "the Company") are committed to protecting the privacy of its customers' confidential and proprietary information and have established operating procedures to protect Customer Proprietary Network Information ("CPNI"). The following statement explains the operating procedures of the Company to ensure that it is in compliance with the CPNI rules of the Federal Communications Commission ("Commission" or "FCC").

Bresnan trains employees on the limitations of use or disclosure of CPNI as governed by federal law and Bresnan policy. Bresnan's policy establishes the procedures and safeguards regarding Bresnan's use and disclosure of CPNI set forth below.

**I. USE, DISCLOSURE OF, AND ACCESS TO CPNI**

Bresnan will use, disclose, or permit access to CPNI only in its provision of the communications service from which such information is derived. The Company also uses CPNI for various purposes permitted by law. For example, for some customers, the Company may use, disclose or permit access to CPNI:

- a. for services necessary to, or used in, the provision of such communications service, including the publishing of directories;
- b. to initiate, render, bill and collect for communications services;
- c. to protect the rights or property of Bresnan, or to protect users or other carriers or service providers from fraudulent, abusive or unlawful use of, or subscription to, such services;
- d. to provide inside wiring installation, maintenance, or repair services;
- e. for the purpose of providing customer premise equipment ("CPE") and call answering, voice mail or messaging, voice storage and retrieval services, fax store and forward, protocol conversion
- f. as required by law;
- g. to provide inbound telemarketing, referral, or administrative services to the customers for the duration of the call, if such call is initiated by the customer and the customer approves of the use of such CPNI to provide such service;
- h. to market services within the categories of service to which the customer already subscribes;
- i. to market services formerly known as adjunct services, such as, but not limited to, speed dialing, computer provider directory assistance, call monitoring, call tracing, call blocking, call return, repeat dialing, call tracking, call waiting, caller ID, call forwarding and certain Centrex features;
- j. as expressly authorized by the customer.

The Company does not use, disclose, or permit access to CPNI to market service offerings that are within a category of service to which the customer does not already subscribe from Bresnan, unless the Company obtains proper customer approval in accordance with Commission rules and regulations. The Company does not use CPNI to identify or track customers that call competing service providers.

## **II. PROTECTION OF CPNI**

Above and beyond the specific FCC requirements, Bresnan will take reasonable measures to discover and protect against attempts to gain unauthorized access to CPNI. If any employee becomes aware of new methods that are being used or could be used by third parties to attempt to obtain unauthorized access to CPNI, or of possible changes to Bresnan's existing policies that would strengthen protection of CPNI, they should report such information immediately to Bresnan's Legal Department so that Bresnan may evaluate whether existing policies should be supplemented or changed.

### **A. Inbound Calls to Bresnan Requesting CPNI**

Bresnan's customer service representatives (CSRs) may not disclose any CPNI to an inbound caller until the caller's identity has been authenticated. For CPNI not including Call Detail Information (CDI), CSRs authenticate callers by requesting their telephone number, account number, name and address.

Bresnan CSRs do not reveal any Call Detail Information (CDI) to inbound callers. The CSRs that answer inbound telephone calls do not have access to CDI. CDI includes any information that pertains to the transmission of specific telephone calls, including: (1) for outbound calls, the number called, and the time, location, or duration of any call; and (2) for inbound calls, the number from which the call was placed, and the time, location, or duration of any call. Bresnan's ordinary policy is to provide the requested CDI by sending the information by mail to a mailing address of record for the account but only if such address has been on file with Bresnan for at least 30 days. However, in some cases, if a customer properly identifies a call, the Company may assist the customer with regard to that particular call and will not release any other CDR information.

### **B. Online Accounts**

Bresnan customers may obtain certain telephone account information from certain online sources accessed from the Bresnan website. To access these on-line accounts, the customer must enter a login ID that they create and a password established in accordance with the criteria established by Bresnan. Bresnan has in place detailed procedures in the event a customer needs to create a new login ID/password, forgets their login ID/password and needs to reset, or needs to change their login ID/password.

### **C. In-Person Disclosure of CPNI at Bresnan Offices**

Bresnan may disclose CPNI to a customer visiting a Bresnan office if they present a valid photo ID matching the customer's account information. A valid photo ID is a government-issued means of personal identification with a photograph such as a driver's license, passport, or comparable ID that is not expired.

### **D. Written Requests for Disclosure of CPNI**

Bresnan may, in some cases, disclose outgoing CDR CPNI upon affirmative written request by a customer to any person designated by the customer. The customer's written request will be verified by Bresnan. All written requests or subpoenas for CPNI are processed by the Company's Subpoena Compliance Department.

### **E. Notice of Account Changes**

When an online account is created or when a password or PIN is changed, Bresnan will mail a

notification to customer's address of record notifying them of the change. When an address of record is created or changed, Bresnan will send a notice to a customer's preexisting address of record notifying them of the change. These notifications are not required when the customer initiates service. Each of the notices provided under this paragraph will not reveal the changed information and will direct the customer to notify Bresnan if they did not authorize the change.

#### **F. Business Customer Exemption**

Some business customers may be able to access CPNI pursuant to a different authentication process. Pursuant to 47 C.F.R. § 64.2010(g), the authentication requirements for disclosure of CPNI do not apply to disclosure of business customer information where the business customer has a dedicated account representative and a contract between Bresnan and that business customer that specifically addresses the protection of CPNI.

#### **G. Audit Trail**

Instances of each employee access to a customer account may be logged and the logs will be maintained for a reasonable time. Bresnan may have access to an audit trail of all such access that could be consulted in the event that a breach of a customer's CPNI is detected.

### **III. REPORTING CPNI BREACHES TO LAW ENFORCEMENT**

Within 7 days of a reasonable determination of breach (*i.e.*, when a third party intentionally gains access to, used or disclosed CPNI without customer authorization), the Company will notify the US Secret Service ("USSS") and Federal Bureau of Investigation ("FBI") of the breach via the central reporting facility [www.fcc.gov/eb/cpni](http://www.fcc.gov/eb/cpni).

- After 7 days of USSS and FBI notice, if the Company has not received written direction from the USSS or FBI, the Company will notify the customer of the breach, unless the USSS and FBI have extended the period for such notice.
- For 2 years following USSS and FBI notice, the Company will maintain a record of: (1) discovered breaches; (2) notifications to USSS and FBI; (3) USSS and FBI responses; (4) dates breaches discovered; (5) dates INS notified USSS and FBI; (6) details of CPNI breached; and (7) circumstances of breaches.
- If there is a possibility of immediate and irreparable harm, Bresnan may notify the customer immediately after consultation with law enforcement.

### **IV. RECORD RETENTION**

In those limited circumstances in which CPNI is disclosed or provided to third parties or where third parties were allowed access to CPNI, Bresnan will maintain a record for a period of at least one year. The information maintained will include those records for which CPNI was used for marketing or for any other purpose for which customer approval is required, as well as records regarding supervisory review of marketing; or of sales and marketing campaigns that use CPNI; or of records associated with customers opt-out approval or non-approval to use CPNI, or notification to customers prior to any solicitation for customer approval to use or disclose CPNI. Bresnan's records also will include a description of each marketing campaign, the specific CPNI that was used in the campaign and what products and services were offered as part of the campaign.

Bresnan may maintain a record, for at least two years, of customer complaints related to its handling of CPNI, and records of Bresnan's handling of such complaints.

## **V. TRAINING**

All employees with access databases that include CPNI receive a copy of Bresnan's CPNI policies and are informed that: (1) any use or disclosure of CPNI or other act or omission not in compliance with such policies will result in disciplinary action, including the termination of employment where appropriate; and (2) employees who knowingly facilitate the unauthorized disclosure of a customer's confidential information may be subject to criminal penalties. In addition, Bresnan conducts mandatory CPNI training for all CSRs, personnel at retail offices that may receive requests for CPNI, technical support personnel who field calls from customers, provisioning personnel who have access to and research customer inquiries regarding CDI, and marketing personnel.