

February 27, 2013

Via ECFS

Ms. Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Suite TW-A325  
Washington, D.C. 20554

Dear Secretary Dortch:

Pursuant to Section 64.2009(e), attached is Airband Communications, Inc.'s (Filer ID #825978) annual CPNI compliance certificate and accompanying statement of operating procedure for 2013 covering the prior calendar year 2012.

Thank you for your assistance with this matter.

Sincerely,



Tim Kinnear  
CFO

**Airband Communications, Inc.**

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

**EB Docket 06-36**

Annual 64.2009(e) CPNI Certification for 2013 covering the prior calendar year 2012

1. Date filed: February 27, 2013
2. Name of company(s) covered by this certification: Airband Communications, Inc.
3. Form 499 Filer ID: 825978
4. Name of signatory: Tim Kinnear
5. Title of signatory: Chief Financial Officer
6. Certification:

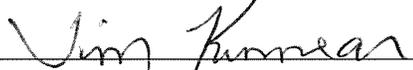
I, Tim Kinnear, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R. § 64.2001 *et seq.*

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 actions (*i.e.*, 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.

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

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 subject it to enforcement action.

Signed 

**Attachments:**      Accompanying Statement explaining CPNI procedures

STATEMENT REGARDING OPERATING PROCEDURES  
GOVERNING CUSTOMER PROPRIETARY NETWORK INFORMATION (CPNI)

The following statement explains the operating procedures of Airband Communications, Inc. ("Company") to ensure compliance with the Customer Proprietary Network Information ("CPNI") rules of the Federal Communications Commission ("Commission" or "FCC").

1. To the extent the Company accesses or maintains CPNI, the Company uses, discloses and permits access to CPNI only for the purpose of (a) providing a customer with the requested service; (b) to initiate, render, bill and collect for its telecommunications services; (c) to provide inbound telemarketing, referral, or administrative services to subscribers for the duration of the call, if such call is initiated by the subscriber and the subscriber approves of the use of such CPNI to provide such service; or (d) for the purpose of providing customer premises equipment ("CPE").
2. The Company does not use, disclose or permit access to CPNI for outbound marketing purposes (either internally or by third parties).
3. The Company does not provide Call Detail Record ("CDR") information over the telephone to customers who contact the Company. The Company also does not provide access to any CPNI (CDR or non-CDR) on-line. The Company does not have any retail locations.
4. The Company will disclose CPNI upon affirmative written request or telephone request by a customer, but does not provide such CPNI over the telephone, but instead by sending it to the customer's address of record.
5. Within 7 business days of a reasonable determination of breach (*i.e.*, CPNI disclosed to a third party 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 full business days following such 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 and dates of such discoveries; (2) any notifications to the USSS and FBI and the dates of such notifications; (3) any USSS and FBI responses; (4) a detailed description of any CPNI that was breached; and (5) the circumstances of any such breaches.
6. The Company's employees are trained as to the proper protection, uses and treatment of CPNI, including familiarity with the Company's internal CPNI policies and procedures.
7. The Company employs a policy with appropriate consequences should any employee violate the Company's internal CPNI policies and procedures. Such consequences include, but are not limited to, financial, legal and disciplinary actions, including termination and referrals to law enforcement when appropriate.