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

EB Docket 06-36

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Fox Telecommunications, Inc.
210 Woodland Estates Ave.
Ruskin, Florida 33570

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: [Fox Telecommunications, Inc]
3. Form 499 Filer ID: [829296]
4. Name of signatory: [Milton Brown]
5. Title of signatory: [CEO]
6. Certification:

I, Milton Brown, 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 _____ [*Signature of an officer, as agent of the carrier*]

Attachments: Accompanying Statement explaining CPNI procedures

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Accompanying Statement Explaining CPNI Procedures for 2012

In accordance with Section 222 of the Communications Act and the Federal Communications Commission's ("FCC") CPNI Rules (47 C.F.R. Section 64.2001, et seq.), Foxtelecommunications, Inc. files this Accompanying Statement outlining Foxtelecommunications' policies and procedures for accessing, using and storing Customer Proprietary Network Information ("CPNI") in compliance with federal rules governing CPNI.

Foxtelecommunications provides interconnected Voice over Internet Protocol (VoIP) and related services to business customers. Because Foxtelecommunications may access, use, or store CPNI when providing these types of services, the Company undertakes the steps outlined in this Accompanying Statement to protect CPNI from unauthorized access or misuse.

Definition of CPNI

Under federal law, CPNI refers to certain types of customer information obtained by a telecommunications provider during the course of providing services (including interconnected VoIP) to a customer. This includes information relating to the quantity, technical configuration, type, destination, location, and amount of use of a telecommunications service subscribed to by any customer of a telecommunications provider. Examples of CPNI include information typically available from call related details on a monthly bill such as the types of services purchased by a customer, numbers called, duration of calls, directory assistance charges, and calling patterns. CPNI does not include names, addresses, and telephone numbers, because that information is considered subscriber list information under applicable law.

Use of CPNI

It is the policy of Foxtelecommunications not to use CPNI for any activity other than as permitted by applicable law. Any disclosure of CPNI to other parties (such as affiliates, vendors and agents) occurs only if it is necessary to conduct a legitimate business activity related to the services already provided by Foxtelecommunications to the customer. If Foxtelecommunications is not required by law to disclose CPNI or if the intended use is not otherwise permitted under FCC Rules, the Company will first obtain the customer's consent prior to using or sharing CPNI.

Foxtelecommunications follows industry-standard practices to prevent unauthorized access to CPNI by a person other than the subscriber or Company. However, Foxtelecommunications cannot guarantee that these practices will prevent every unauthorized attempt to access, use, or disclose personally identifiable information.

CPNI Notification

Foxtelecommunications notifies customers immediately of any account changes, including address of record, authentication, online account and password related changes.

Employee Training Policies

All applicable employees of Foxtelecommunications are trained as to when they are, and are not, authorized to use CPNI. Specifically, Foxtelecommunications prohibits its personnel from releasing CPNI based upon a customer-initiated telephone call except under the following three (3) circumstances.

° When the customer has pre-established a password;
° When the information requested by the customer is to be sent to the customer's address of record; or
When Foxtelecommunications calls the customer's telephone number of record and discusses the information with the party initially identified by customer when service was initiated.

Disclosure to Business Customers

Foxtelecommunications may negotiate alternative authentication procedures for services that the Company provides to business customers that have a dedicated account representative and a contract that specifically addresses the protection of CPNI.

Disciplinary Procedures

Foxtelecommunications has informed its employees and agents that it considers compliance with the Communications Act and FCC Rules regarding the use, disclosure, and access to CPNI to be very important. Violation by company employees or agents of such CPNI requirements will lead to disciplinary action(including remedial training, reprimands, unfavorable performance reviews, probation, and termination), depending upon the circumstances of the violation (including the severity of the violation, whether the violation was a first time or repeat violation, whether appropriate guidance was sought or received from a supervisor, and the extent to which the violation was or was not deliberate or malicious).

Use of CPNI in Sales and Marketing Campaigns

Foxtelecommunications does not use CPNE in any marketing campaigns.

However, if Foxtelecommunications does use CPNI in marketing campaigns, the Company will maintain a record of all sales and marketing campaigns that use the CPNI. The record will include a description of

each campaign, the specific CPNI that was used in the campaign, and what products and services were offered as part of the campaign.

Foxtelecommunications will also implement a system to obtain prior approval and informed consent from its customers in accordance with the CPNI Rules. This system will allow for the status of a customer's CPNI approval to be clearly established prior to the use of CPNI.

Prior to commencement of a sales or marketing campaign that utilizes CPNI, Foxtelecommunications will establish the status of a customer's CPNI approval. The following sets forth the procedure that will be followed by the Company:

Prior to any solicitation for customer approval , Foxtelecommunications will notify customers of their right to restrict the use of, disclosure of, and access to their CPNI.

Foxtelecommunications will use opt-in approval for any instance in which the Company must obtain customer approval prior to using, disclosing or permitting access to CPNI.' A customer's approval or disapproval remains in effect until the customer revokes or limits such approval or disapproval.' Records of approvals are maintained for at least one (1) year.' Foxtelecommunications provides individual notice to customers when soliciting approval to use, disclose or permit access to CPNI.

Foxtelecommunications will also establish a supervisory review process regarding compliance with the CPNI rules for outbound marketing situations and will maintain compliance records for at least one (1) year.

FCC Notification

The Company is prepared to provide written notice within five (5) business days to the FCC of any instance where the opt-in mechanisms do not work properly or to such a degree that consumers' inability to opt-in is more than an anomaly.

Third Party Use of CPNI

To safeguard CPNI, prior to allowing joint ventures or independent contractor's access to customers' individually identifiable CPNI, Foxtelecommunications will require all such third parties to enter into a confidentiality agreement that ensures compliance with this Accompanying Statement and Foxtelecommunications shall also obtain opt-in consent from a customer prior to disclosing the information to such third parties. In addition, Foxtelecommunications requires all outside agents to acknowledge and certify that they may only use CPNI for the purpose for which that information has been provided.

Foxtelecommunications requires express written authorization from the customer prior to dispensing CPNI to new carriers, except as otherwise required by law.

Foxtelecommunications does not market or sell CPNI information to any third party.

Law Enforcement Notification of Unauthorized Disclosure

if an unauthorized disclosure of CPNI occurs, Foxtelecommunications shall provide notification of the breach within seven (7) days to the United States Secret Service ("USSS") and the Federal Bureau of Investigation ("FBI"). Foxtelecommunications shall wait an additional seven (7) days from its government notice prior to notifying the affected customers of the breach.

Notwithstanding the above, Foxtelecommunications shall not wait the additional seven (7) days to notify its customers if the Company determines there is an immediate risk of irreparable harm to the customers.

Foxtelecommunications shall maintain records of discovered breaches for a period of at least two (2) years.

Customer Complaints

Foxtelecommunications has not received any customer complaints in the past year concerning the unauthorized release of or access to CPNI.

Actions taken against Pretexters

Foxtelecommunications has not taken any actions against data brokers before state commissions, state or federal courts, or the FCC in the past year. Foxtelecommunications has no information, other than information that has been publicly reported, regarding the processes that pre texters are using to attempt to access CPNI.

Annual CPNI Certification

Pursuant to FCC regulations, 47 C.F.R. § 64.2U089(e), Foxtelecommunications will annually submit to the FCC, on or before March 1, a CPNI Certification of Compliance and Accompanying Statement regarding the Company's CPNI policies and operating procedures. These documents certify that Foxtelecommunications complied with federal laws and FCC regulations regarding the protection of CPNI throughout the prior calendar YEAR.