KVH INDUSTRIES

Annual 17 C.F.R. § 64.2009(e) CPNI Certification
EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2014 covering the prior calendar year 2013

Date filed:	February 24, 2014
Name of company covered by this certification:	KVH INDUSTRIES, INC.
Form 499 Filer ID:	**827078**
Name of signatory:	Brent Bruun
Title of signatory:	Executive Vice President, Mobile Broadband Group

I, Brent Bruun, 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 the company's policy to ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any actions (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 nothing to report regarding any processes pretexters are using to attempt to access CPNI. The attachment to this certification explains the steps the company is taking to protect CPNI.

The company has not received any 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: _____

KVH Industries, Inc.
World Headquarters
50 Enterprise Center
Middletown, RI 02842-5279 • U.S.A.
Tel: +1 401.847.3327
Fax: +1 401.849.0045

KVH

Policy	**SAFEGUARDING CUSTOMER PROPRIETARY NETWORK INFORMATION**
Category	CORPORATE
Issue Date	June 21, 2011
Issued By	Vice President & General Counsel
Supersedes	New

It is the policy of KVH Industries, Inc. ("KVH") to protect and maintain the confidentiality of customer information as required by federal law and regulations. The company has a duty under federal law and regulations to protect the confidentiality of customer information and relies on its employees to fulfill that duty. Customer information will be used or disclosed by KVH employees only in accord with applicable federal law and regulations and KVH procedures as described below.

A. Types of Customer Information Protected. During the course of a customer's relationship with KVH, KVH will come into possession of information about the customer's use of KVH's services. Federal law and regulations specifically protect customer information that relates to the quantity, technical configuration, type, destination, location, and amount of use of the customer's telecommunications service, as well as any telephone service information contained in the customer's bill. These types of information have been termed "customer proprietary network information" or "CPNI" by the Federal Communications Commission. Such CPNI may include, for example, the phone numbers called by a customer, the length of the calls, and records of additional services purchased by the customer, such as voice mail. CPNI includes customer information related to telecommunications or network services and not the purchase of equipment.

B. Restrictions on use and Disclosure of Customer Information. CPNI may not be used by, or disclosed to, anyone outside of KVH without the customer's permission, except in the specific instances described below. This includes KVH affiliates, unless the customer is also a customer of that affiliate.[1] Within KVH, CPNI may not be used to market services in any category of services to which the customer does not currently subscribe, unless the customer has given permission. Categories of service for purposes of this restriction are local exchange service, long-distance service, and wireless service.

C. Types of Customer Permission Required. Different types of customer permission are required for different types of customer information use or disclosure. Upon written request from the customer, the customer's information may be disclosed to any person designated by the customer. Customers seeking to access their customer information on-line must produce a password previously set by the customer, which password may not use readily available biographical information, or account information. KVH may create a back-up customer authentication method, which shall not prompt the customer for readily available biographical information, or account information. Customers seeking to access their information by telephone must produce a password[2/] to obtain release over the phone of call detail information.[3/] A

[1] Pursuant to the KVH Airtime Services End User Agreement, end users purchase airtime services from KVH Industries, Inc., including any of its wholly owned subsidiaries, and therefore KVH customers are customers of each of its subsidiaries.

[2/] The requirement to produce a password does not apply to business customers where: (a) the customer's contract is serviced by a dedicated account representative as the primary contact; (b) the contract specifically

customer who has lost or forgotten his or her password may be authenticated by correctly answering one or more questions established with KVH at the time the password was set up. Customer information (other than call detail) may be given to the customer over the phone without a password once the customer satisfies the KVH employee of his or her identity. Customers may, over the phone without producing a password, request that KVH send call detail information to the customer's postal or e-mail address of record or request that KVH call the customer's telephone number of record with the requested call detail.

Customer permission required for KVH use of customer information in various types of marketing is described further below.

D. Exceptions to use and Disclosure Restrictions. The law allows KVH to use or disclose customer information without permission for the following purposes:

1. to provide services (including installation, maintenance, repair, and billing for services) in any category of services to which the customer subscribes;
2. to market services (including marketing upgrades to basic service) in any category of services to which the customer already subscribes;
3. to publish directories or allow other parties to publish directories;[4/]
4. to protect the rights of property of KVH, and to protect KVH, its customers, or other parties against fraudulent, abusive or unlawful use of services; or
5. to respond to a legal demand for the information (*e.g.*, a subpoena or court order).

Supervisors may authorize employee use of customer information for purposes #1 and #2, above. Use of customer information for purpose #2 must follow guidelines described below. Use or disclosure of customer information for purpose #3 may only be undertaken with the authorization and guidance of the Marketing Department. Supervisors faced with a situation described in purposes #4 and #5 should consult with the General Counsel before using or disclosing any customer information. Questions about any of these situations, or demands for use of customer information other than those described above should be directed to the General Counsel at 401-845-8148.

E. Customer Permission to use or Disclose Customer Information for Marketing Campaigns. KVH may seek permission from customers to use their customer information in marketing campaigns for other categories of services than those to which the customer currently subscribes. Once customer permission has been obtained pursuant to the opt-out process described below, customer information may be used by KVH and its affiliates to market communications-related services to that customer in any category of services.[5/] Customer permission assumed pursuant to the opt-out process does not allow the use or

---

addresses the protection of customer information; and (c) the business customer is not required to go through a call center to reach a customer service representative.

3/ Call detail information is any information that pertains to the transmission of specific telephone calls including, for outbound calls, the number called, and the time, location, or duration of any call and, for inbound calls, the number from which the call was placed and the time, location, or duration of the call.

4/ Only names, telephone numbers, addresses, and advertising classification (if any) may be used or disclosed for this purpose. If a customer has requested an unlisted number, information may not be disclosed for directory publication purposes.

5/ The "opt-out" permission system used by KVH does not extend to use of customer information for marketing by joint venture partners or independent contractors.

disclosure of customer information for any other purpose, including the marketing of non-communications-related services.[6] Customer permission received pursuant to an opt-in process allows the use or disclosure of customer information for marketing non-communications-related services.

KVH utilizes an opt-out process to obtain customer approval to use customer information for purposes of marketing communications-related services. Under an opt-out permission system, the customer is provided with written notice of KVH's intention to use his or her customer information in marketing communications-related services to the customer. If the customer does not notify KVH within thirty days that he or she objects to (or opts-out of) this proposed use of customer information, permission to use the customer information will be assumed by KVH.

Customer opt-out permission is obtained as part of the KVH Service Terms and Conditions documentation and as part of the documentation associated with customer service initiation using the KVH website. Opt-out permission may also be obtained or confirmed after service initiation through notice in a bill insert. Customers may revoke their opt-out permission at any time, and may do so either orally or in writing, including by use of the KVH website. The revocation need not be signed. Opt-out permission is valid for two years after the opt-out notice is sent, unless earlier revoked by the customer.

F. Recording of Customer Permission of use or Disclosure of Customer Information for Marketing. Customer records will be clearly marked as to whether permission for use or disclosure of customer information for marketing of communications related services has been granted. For customers whose records are not marked showing permission has been granted, KVH employees must assume permission has not been granted.

G. Approval and Recordkeeping for Use of Customer Information in a Marketing Campaign. Before a supervisor may authorize employees to use customer information for marketing purposes, the proposed use of customer information must be reviewed and approved by the Director of Marketing to assure the proposed use conforms with this policy and applicable federal regulations.[7] Records of these reviews, including a description of the campaign, the specific customer information used in the campaign, and what products and services were offered as part of the campaign, will be maintained by the Marketing Department for at least one year.

Upon completion of a marketing campaign that uses customer information, or at regular intervals during the campaign, the appropriate supervisor will review the campaign to ensure the use of customer information is in accord with this policy. Copies of such evaluations will be sent to the General Counsel for maintenance in the record of the campaign for at least one year.

H. Employee Training. As part of initial orientation and training, all new employees will be provided training on KVH policies and procedures with regard to protection and appropriate access to, and use of, customer information. Training specific to each marketing campaign will be provided to employees at the initiation of any marketing campaign that uses customer information.

I. Required Notifications and Annual Certification. To allow a customer to verify any change was intentional, KVH will notify customers immediately whenever a password, customer response to a back-

---

[6] Except, of course, for those purposes for which customer permission is not required, as described above.

[7] This requirement applies both to campaigns to market services in categories to which the customer already subscribes (i.e., campaigns that do not customer permission) and to campaigns using opt-out permission to market communications-related services or communications services in categories to which the customer does not already subscribe.

up means of authentication for lost or forgotten passwords, online account, or address of record is created or changed, except during initiation of service. The notification will be provided through a KVH-originated voicemail or text message to the telephone number of record, or by mail to the address of record. The notification will not reveal the changed information or be sent to the new account information.

In any instance where a security breach results in CPNI being disclosed to a third party without the customer's authorization, the employee discovering the breach must immediately notify the appropriate supervisor, who will notify the General Counsel. The General Counsel will, no later than seven days after determination of the breach, notify law enforcement through an online central reporting facility maintained by the United States Secret Service ("USSS") and the Federal Bureau of Investigation ("FBI"). Unless instructed otherwise by law enforcement, KVH will notify the customer of the breach seven days after reporting it to the USSS and FBI. KVH will maintain a record of any breaches discovered, notifications made to the USSS and the FBI and notifications made to customers, and maintain the record for at least two years. The record will include, to the extent available, dates of discovery and notification, a detailed description of the CPNI that was the subject of the breach and the circumstances of the breach.

In any instance where the opt-out mechanism for customer approval for use of customer information in marketing does not work properly to such a degree that customers' inability to opt out is more than an anomaly, the appropriate supervisor must immediately notify the General Counsel, who will provide the required notification to the Federal Communications Commission.

The KVH Vice President of Sales and Business Development will, by March 1st of each year, execute the required certification to the Federal Communications Commission of KVH's compliance with customer information protection regulations along with the required report of actions taken against data brokers attempting to obtain customer information and summary of consumer complaints of unauthorized release of customer information during the previous calendar year.

J. Penalties for Misuse or Inappropriate Disclosure of Customer Information; Reporting Misuse. Misuse or inappropriate disclosure of customer information can subject KVH to legal penalties that may include substantial monetary fines. Employees involved in misuse or inappropriate disclosure of customer information are subject to employee disciplinary action, including possible termination from employment.

Supervisors or employees aware of misuse or inappropriate disclosure of customer information must report that knowledge to the General Counsel when such misuse or inappropriate disclosure is discovered.