Annual 47 C.F.R § 64.2009(e) CPNI CERTIFICATION
EB DOCKET 06-36

Annual 64.2009 (e) CPNI Certification for 2013

Date filed: February 27, 2014

Name of company covered by this certification: ETS Telephone Company, Inc. d/b/a En-Touch Systems

Form 499 Filer ID: 812058

Name of Signatory: Von Kauffman

Title of Signatory: Chief Financial Officer

I, Von Kauffman, certify that I am the CPNI Compliance Officer and a Corporate 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.

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 in the past year.

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. S: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.

Von Kauffman

Von Kauffman
Chief Financial Officer
ETS Telephone Company, Inc.
d/b/a En-Touch Systems

STATEMENT OF PROCEDURES ADOPTED BY ETS TELEPHONE COMPANY, INC.,D/B/A EN-TOUCH SYSTEMS TO ENSURE COMPLIANCE WITH THE RULES AND REGULATIONS OF THE FEDERAL COMMUNCIATIONS COMMISSION REGARDING THE PROTECTION OF CUSTOMER PROPRIETARY NETWORK INFORMATION ("CPNI")

Prefatory Statement: Our Company has elected not to utilize or provide CPNI for any purpose other than those purposes that are permissible without customer approval in accordance with Section 64.2005 of the FCC's Rules and Regulations. We provide our customers notification of their rights with respect to their CPNI and we have adopted the procedures set forth below to ensure our familiarity and compliance with the applicable rules in the event that we subsequently elect to utilize or provide CPNI for any purpose that requires customer approval.

CPNI Use

(1) We recognize that we may use, disclose or permit access to CPNI to protect our rights and property, our Customers, and other carriers from fraudulent, abusive or unlawful use of, or subscription to, our services.

(2) We understand that we may use, disclose or permit access to CPNI to provide or market service offerings among the categories of service to which the Customer already subscribes. When we provide different categories of service, and a Customer subscribes to more than one service category, we understand that we may share the Customer's CPNI with the affiliate that provides service to the Customer; but if a Customer subscribes to only one service category, we may not share the customer's CPNI with an affiliate without the Customer's approval.

(3) We understand that we may use, disclose or permit access to CPNI derived from our provision of local exchange or interexchange service for the provision of CPE and call answering, voice mail or messaging, voice storage and retrieval services, fax store-and-forward, and protocol conversion, without Customer approval,

(4) In the absence of Customer approval, we do not use, disclose or permit access to CPNI to provide or market service offerings within a category of service to which the Customer does not already subscribe, except that we understand that we may use, disclose or permit access to CPNI to: (a) provide inside wiring installation, maintenance and repair services; and (b) market, when we provide local service, services formerly known as adjunct-to-basic services such as, but not limited to, speed dialing, computer-provided directory assistance, all monitoring, call tracing, call blocking, call return, repeat dialing, call tracking, call waiting, caller ID, call forwarding, and certain Centrex features.

(5) We do not use, disclose or permit access to CPNI to identify or track Customers that call competing service providers. For example, as a local exchange carrier, we do not use local service CPNI to track Customers that call local service competitors.

Required Procedures to Obtain Customer Approval to Use CPNI

(1) In the event that we seek to utilize, disclose or permit access to CPNI in an instance where Customer approval is required, we will obtain approval through written, oral or electronic methods. If we rely on oral approval, we understand we bear the burden of demonstrating that such approval was given in compliance with the CPNI rules. We will honor a Customer's approval or disapproval until the Customer revokes or limits such approval or disapproval. We will maintain all records of Customer approvals for at least one year.

(2) Subject to "opt-out" approval requirements, we understand that we may use a Customer's individually identifiable CPNI to market communications-related services to that Customer, and that we may disclose that CPNI to our affiliates and agents that provide communications-related services. However, disclosure to joint-venture partners or contractors requires explicit customer approval and is subject to "opt-in" requirements.

CPNI Notice Requirement Procedures

(1) We individually notify and inform each Customer of his or her right to restrict the use or disclosure of, and access to, CPNI. In the event that we seek to utilize, disclose or permit access to CPNI in an instance where Customer approval is required, we will solicit approval, and we will maintain records of notification, whether oral, written or electronic, for at least one year.

(2) In the event that we seek to utilize, disclose or permit access to CPNI in an instance where Customer approval is required, our notifications will provide information sufficient to enable our Customers to make informed decisions as to whether to permit the use or disclosure of, or access to, their CPNI. Our notifications will: (a) contain a statement that the Customer has a right, and we have a duty, under federal law, to protect the confidentiality of CPNI; (b) specify the types of information that constitute CPNI and the specific entities that will receive CPNI, describe the purposes for which the CPNI will be used, and inform the Customer of his or her right to disapprove those uses and deny or withdraw access to CPNI use at any time. With regard to the latter, we will indicate that any approval, or disapproval, will remain in effect until the Customer affirmatively revokes or limits such approval or denial.

(3) In the event that we seek to utilize, disclose or permit access to CPNI in an instance where Customer approval is required, we will advise the Customer of the precise steps the Customer must take in order to grant or deny access to CPNI, and we will clearly state that a denial of approval will not affect the provision of any services to which the Customer subscribes. We understand that in any such notification we may also provide a brief statement, in clear and neutral language, that describes the consequences directly resulting from the lack of access to CPNI. In addition, we understand that we may state that the Customer's consent to use his or her CPNI may enhance our ability to offer products and services tailored to meet the Customer's needs and that we will disclose the Customer's CPNI to any person upon the affirmative written request of the Customer.

(4) In the event that we seek to utilize, disclose or permit access to CPNI in an instance where Customer approval is required, our notifications will be comprehensible and not misleading and, if written, will be legible, sufficiently in large type, and placed in an area readily apparent to the Customer. And, if any portion of any such notification is in another language, all portions of the notification will be in that language.

(5) We will not include in any such notification any statement that attempts to encourage a Customer to freeze third-party access to CPNI.

(6) For "opt-out" approvals, we understand that our notifications will satisfy items (1) – (5) above. We will not use oral notifications except in the event that a need arises to obtain limited, one-time use of CPNI for inbound and outbound customer telephone contacts for the duration of the call, regardless of whether we use "opt-out" or "opt-in" approval based on the nature of the contact. When we use oral notice in this manner, we will comply with items (1) – (5) above, except that, if none of the following situations are relevant to the limited use for which we seek CPNI, we will not: (a) advise Customers, if they have opted out previously, that no action is needed to maintain the "opt-out" election; (b) advise Customers that we may share CPNI with our named or unnamed affiliates or third parties if the limited CPNI usage does not result in use by, or disclosure to, an affiliate or third party; (c) disclose the means by which a Customer can deny or withdraw future access to CPNI, so long as we explain that the scope of the approval is limited to one-time use; and (d) disclose the precise steps a Customer must take to grant or deny access to CPNI, so long as we clearly communicate that the Customer can deny access to his or her CPNI for the call.

(7) In addition, for "opt-out" approvals, we understand that we must wait at least 30 days after giving Customers notice and an opportunity to opt-out before assuming Customer approval to use, disclose, or permit access to CPNI and notify Customers of the applicable waiting period for a response before approval is assumed. In the event that we utilize the opt-out mechanism, we will provide notices to customers every two years.

(8) For electronic notifications, we recognize that the waiting period begins to

run on the date the notification is sent and, for mail notifications; it begins to run on the third day following the date the notification was mailed. In the event we utilize e-mail to provide opt-out notices, in addition to other requirements, we will: (a) obtain express, verifiable, prior approval to sending notices by e-mail regarding a Customer's service in general or their CPNI in particular; (b) allow Customers to reply directly to e-mails in order to opt-out; (c) use another means of communicating the notice if the e-mail is returned as undeliverable before considering the Customer to have received notice; and (d) ensure that the subject line in the e-mail clearly and accurately identifies the subject matter of the e-mail.

(9) In the event that we use "opt-out" approvals, we will also make available to every customer a method to opt-out that is of no additional cost to the Customer and is available 24 hours a day, seven days a week. We may satisfy this requirement through a combination of methods, but *we* allow Customers to opt-out at no cost and whenever they choose.

CPNI Safeguard Procedures

(1) As described in this section, we have implemented a system by which the status of a Customer's CPNI approval can be clearly established prior to the use of the CPNI.

(2) We have trained our personnel as to when they are, and are not, authorized to use CPNI. Personnel have been trained to authenticate every customer and to require a password before disclosing call detail records. Training included requirements for keeping records and for notifying customers when changes are made to the customer account. The Company has an express disciplinary process in place for non-compliance.

(3) We will maintain records for at least one year as required by the FCC's regulations for all of the following: (a) notifications to customers of their CPNI rights, (b) customer approval status for use of CPNI (c) any instance of our own and our affiliates' sales and marketing campaigns that use Customers' CPNI, (d) all instances where CPNI was disclosed or provided to third parties or where third parties were allowed access to CPNI, (e) notifications to customers of changes made to their accounts, (f) customer complaints concerning unauthorized release of CPNI. In addition, notices to customers and law enforcement agencies regarding unauthorized use or breaches to CPNI will be maintained for a minimum of two years.

(4) We have established a supervisory review process regarding compliance with the CPNI rules for outbound marketing situations and, in the event that we seek to utilize, disclose or permit access to CPNI for outbound marketing situations we will maintain compliance records for at least one year. Specifically, our sales personnel are required to obtain supervisory approval of any proposed outbound marketing request for customer approval of the use of CPNI.

(5) A corporate officer who acts as agent for the Company will sign a

compliance certificate on an annual basis stating that the officer has personal knowledge that the Company has established these operating procedures adequate to ensure compliance with applicable CPNI rules. This Statement of procedures which sets forth our operating procedures and demonstrates compliance with the CPNI rules will be maintained together with the compliance certificate.

(6) In the event that we seek to utilize, disclose or permit access to CPNI in an instance where Customer approval is required, and we utilize an opt-out mechanism, we will provide written notice within five business days to the FCC of any instance where the opt-out mechanisms do not work properly to such a degree that consumers' inability to opt-out is more than an anomaly. Any such notice will be provided in the form of a letter that will include our Company's name, a description of the opt-out mechanism(s) used, the problem(s) experienced, the remedy proposed and when it will be/was implemented, whether relevant state commission(s) were notified and what action was taken, a copy of any notice provided to customers, and contact information. We will submit any such notice even if other methods by which consumers may opt-out are offered.

REVIEW AND REVISION OF PROCEDURES

We shall undertake the responsibility of reviewing these procedures on a continuing basis to ensure compliance with all Rules and Regulations regarding the utilization of CPNI. We shall revise these procedures on a timely basis to reflect any subsequent revisions to the applicable Rules and Regulations addressing CPNI.