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August 15, 2014

FILED THROUGH ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Room TW-A325
Washington, DC 20554

Re: 2013 CPNI Certification; EB Docket 13-26

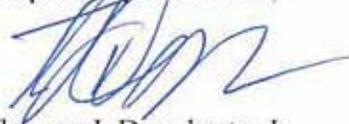
Dear Secretary Dortch:

Transmitted with this letter is the 2013 CPNI Officer's Compliance Certificate of Privatel, Inc. ("Privatel").

This certificate was due by March 1, 2014 and Privatel hereby asks the Commission to accept the attachment *nunc pro tunc* as of that date. At that time, Privatel – which is neither a FCC licensee nor a cable operator – was not actively represented by this law firm and Privatel was unaware of the Commission's CPNI requirements and the need to prepare and to file an annual CPNI compliance certificate. It was only after our engagement that we conducted an audit of Privatel's FCC compliance and discovered that this certificate had not been filed. As stated in the certificate, Privatel is now in compliance. As also reflected in it, there were no incidents with data brokers or incidents of CPNI disclosure during 2013. Since Privatel began operations in 2013, the CPNI of its customers (which are very few in number) has been guarded by the CPNI policy of Privatel's wholesale interconnected VOIP provider. Accordingly, Privatel has done what needs to be done to guard customer CPNI consistent with the Commission's requirements, the Commission's expectations and the expectations of those few customers. Accordingly, this filing should be accepted *nunc pro tunc* as of March 1, 2014.

Please contact the undersigned attorney for Privatel if you have any questions.

Respectfully submitted,


Thomas J. Dougherty, Jr.

Attachment

OFFICER'S CPNI COMPLIANCE CERTIFICATE

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 2013

Date filed: August 12, 2014

Name of company(s) covered by this certification: Privatel Inc.

Form 499 Filer ID: 830313

Name of signatory: Brian Mastrorilli

Title of signatory: Vice President

I, Brian Mastrorilli, 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.* These procedures were adopted in 2014.

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. Companies must report on any information that they have with respect to the processes pretexters are using to attempt to access CPNI and what steps companies are 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 be subject it to enforcement action.

Signed  

ATTACHMENT TO OFFICER'S CPNI COMPLIANCE CERTIFICATE

Statement Regarding CPNI Operating Procedures

Privatel's written CPNI Operating Procedures ensure that Privatel will be in compliance with 47 U.S.C. § 222 and the rules contained in the Title 47, Chapter 1, Subchapter B, Part 64, Subpart U of the Code of Federal Regulations. Included among the provisions of Privatel's CPNI Operating Procedures are:

- A requirement that Privatel have ~~at all times a CPNI Compliance Supervisor to~~ supervise the implementation of its CPNI Operating Procedures.
- Detailed procedures for safeguarding CPNI, including procedures for customer authentication and password protection of CPNI.
- Detailed procedures for determining what type of customer approval is necessary for use, disclosure of, and access to CPNI.
- A requirement that the billing system records for customers' accounts allow the status of the customer's CPNI approval to be easily ascertained.
- A requirement that ~~it personnel be trained as to when they are and are not~~ authorized to use CPNI.
- A written disciplinary process for misuse of CPNI.
- Detailed filing, notice, and recordkeeping requirements.
- Detailed procedures to be followed in the event of a breach of CPNI.

Privatel does not use, disclose, or allow access to CPNI for any purpose that would require customer approval under 47 U.S.C. § 222 or the rules contained in the Title 47, Chapter 1, Subchapter B, Part 64, Subpart U of the Code of Federal Regulations.