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FEBURARY 10, 2016

## SPECIAL BULLETIN

### Annual CPNI Certifications

The annual Customer Proprietary Network Information (CPNI) certification is due to the FCC by March 1, 2016. The FCC requires telecommunications carriers and interconnected VoIP providers to certify that they have adequate safeguards and procedures in place to protect their customers' CPNI data. The filing requirements have not changed from last year, but it is important to note that failure to comply with CPNI rules, failure to file an annual certification, or filing inadequate/incomplete certifications, could result in fines of up to \$160,000 for each violation per day, up to a maximum of \$1,575,000. As a result, Alexicon recommends completing your CPNI Certification before March 1, 2016.

Attached to this Special Bulletin is the FCC Enforcement Bureau's annual advisory, designed to help ensure companies' compliance with the certification requirements. Included in the Enforcement Advisory is a template certification for your use (Attachment 2), as well as a list of recurring deficiencies of which all filers should be aware (Attachment 1, pages 2-3).

Please note that the CPNI certification requires the attachment of a compliance statement, and may require additional information depending on whether your company (1) took any actions against data brokers during 2015, or (2) your company received any customer complaints during 2015 relating to the unauthorized release of CPNI.

#### Statement of Compliance

The FCC's Enforcement Bureau has stated in past years that one of the common problems with annual CPNI certifications is with the statement explaining how the reporting company's operating procedures ensure compliance with CPNI rules. These statements are to include, at a minimum, the following:

- How the carrier implemented a system to establish the status of a customer's CPNI approval prior to use of CPNI.
- Training policies covering as to when employees are and are not authorized to use CPNI. This includes an express disciplinary process
- Recordkeeping procedures related to sales and marketing campaigns that use CPNI and are undertaken by the carrier or its affiliates
- An explanation of the carriers supervisory review process of outbound marketing campaigns.



*(continued on next page)*



**Alexicon**

Questions? Comments?

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## Filing Options

There are three options for filing the annual CPNI certifications:

- (1) **Web-based electronic filing**—The FCC has established a web-based application specifically for the CPNI certifications: [[link](#)]
- (2) **FCC’s Electronic Comment Filing System (ECFS)** - file in Docket No. 06-36
- (3) **Paper Filing**— Companies must file an original and four copies of each filing. All filings must reference EB Docket No. 06-36 and be addressed to Marlene H. Dortch, Secretary, Federal Communications Commission, 445 12th Street SW, Suite TW-A325, Washington, DC 20554. Filings may be transmitted by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail as follows:
  - Hand or messenger-delivered paper filings should be directed to the Commission’s headquarters building, at 445 12th Street SW, Washington, DC 20554. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.
  - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) should be directed to 9300 East Hampton Drive, Capitol Heights, MD 20743.
  - U.S. Postal Service first-class, Express, and Priority mail should be directed to the Commission’s Secretary at her address, provided above.

If you have any questions, please let us know