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# CPNI Defined

**Customer Proprietary Network Information ("CPNI")** is broadly defined as the data collected by telecommunications providers about their customers' telephone services including the calls they make and what they buy.

CPNI can be specific to a customer or broadly collected regarding a group of customers.

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# CPNI Defined

- Examples of CPNI:
  - **Payment amounts or payment history**
  - Features and services associated with the customer's line
  - Calling data – whether billed or not
  - Other relationships (such as long distance carrier) that are inherently part of the local telephone service
- CPNI also includes information Windstream provides to your CLEC

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# CPNI Defined

- CPNI does **NOT** include:
  - **Name and address**
  - Information available through non-telephone related sources (i.e., “Google”)
  - Information about the customer that is unrelated to the provision of telephone service
  - **Information the customer provides to you**

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# Compliance Requirements

- **General Duty**: Every communications carrier has the duty to protect the confidentiality of proprietary information of other communications carriers, equipment manufacturers and customers

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# Why We Have to Care

- FCC has authority to issue fines:
  - $4K for not responding
  - $100K for failing to comply
  - $130K per infraction
- Fines are issued regardless of infraction
  - “Size matters not” ATT fined the same as a small ITC
  - Guilty unless proven innocent
  - Guilty even when proven innocent

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# Who Must Comply?

- All Communications providers
  - Local Exchange
  - Long Distance
  - Wireless
- VOIP providers now included

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# CPNI Rules:

- Restrict the use of CPNI to market / sell services without permission from the customer
- Prohibit disclosure of CPNI information without authentication
- Define methods of authentication
- Impose operational requirements
  - Training
  - Discipline
- Certification

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# Exceptions to the Rule

- **Administrative**: to render, bill and collect for services
- **Protection of Assets**: protect rights or property or users and other carriers from fraudulent or illegal use
- **Emergencies** (wireless)
- **Health Research** (wireless)
- **As Required by Law**

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# CPNI in Sales and Marketing

- Limits use of CPNI outside a category of service without customer permission
- *Otherwise* **permission** from the customer is required to use customer CPNI information to sell other services

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# CPNI in Sales & Marketing

**Categories of Communications Services**

| | |
|---|---|
| **Local Exchange** | *Includes features, dial tone, inside wire, equipment* |
| **Long distance** | *Includes toll-free, calling card, direct dial 1+ calling* |
| **CMRS** | *Includes all wireless and adjunct services* |
| **Internet** | *Includes dial up and DSL (if part of the communications service)* |

All categories include inside wire maintenance, voice mail, and CPE

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# Permission to Use CPNI in Sales & Marketing

## Permission to use required:

- To market / sell "outside" a category of service(s) already purchased
- To market / sell non-communications services (video)

## Permission to use not required:

- To market / sell "within" a category of service(s) already purchased (feature packs)
- To market / sell voicemail, inside wire maintenance and CPE

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# Examples of CPNI Based Marketing

- Targeting DSL to subscribers of multiple lines
  - Total Service / No permission: if the customer buys dial-up and phone service
- Targeting a long distance to multi-line customers
  - Total Service / No permission: Customer already buys phone service and long distance
- Targeting voicemail and maintenance to a customer based on any criteria
  - Always permitted

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# Common Examples of Non-CPNI Based Sales & Marketing

- Newsletters or mass mailing
- Mailing to addresses of non-subscribers
- Up sell in the processing a service order
- Generalized promotions including non-targeted promotions of a product or bundle
- Sales efforts in response to a customer inquiry

If the sales effort isn't prompted by current services, it is not CPNI based and no permission is required

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# A Note About Video

- Video is a non-communications service
- Customer information about video purchases can be used to market any communications services without customer permission **but …**
- Customer information about communications purchases can**not** be used to market any video services without customer permission regardless of relationship between Carrier and video provider

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# Sales Opportunity: Special Provision for One Time Use

- On in-bound calls, CPNI may be used for the duration of the call to market services outside a category **with customer permission**
- CPNI data used solely for the duration of a call and permission ends when the call ends
- Customer can refuse without penalty
- Burden of proof lies with Carrier

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# Sales Opportunity: Special Provision for One Time Use

- Burden of proof: Permission to use should become routine
- Example: "May I **also** look at your records to see if you qualify from any promotions that may be interested in?"
- Example: "I am glad I could help … while I have you, do you mind if I look at your records …"

*Always ask!*

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# CPNI cannot be used for anti-competitive purposes in any way!

FCC rules expressly prohibit using information about customers either in a group or individually to identify and target competitive providers of services

- Other Long Distance Carriers
- Dial-up providers
- Wireless
- CLECs

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# Pretexting Defined

**Pretexting** means to mislead another party into believing that the data requestor is authorized to obtain proprietary information about that subscriber (such as service or account data).

**Pretexting** also is used to loosely describe related techniques used to obtain unauthorized access to information.

*Posing as the actual subscriber or presenting false credentials are examples of pretexting regardless of the intent.*

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# Release of CPNI Requires Authentication

**Authentication** means confirming that the person requesting CPNI data has the authority to receive that information

Authentication for release of **Call Detail Information** is limited to **4** authentication methods.

Release of all other CPNI requires a "**reasonable**" standard for authentication

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# Not Authentication for release of CDR

- Readily available data
  - Name based
  - Account based
  - Amount paid
- Biological data
  - SSN
  - Mother's Maiden Name
  - Birth dates
- Caller ID

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# *1.* **Authentication:** Calling the telephone number of record

- Caller ID is not a valid method of confirming identity.

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# *2.* **Authentication:**
## Mailing to address of record

- Address of record can be postal or electronic.
- Address of record generally the bill address, not the service address.
- Address must have been associated with the customer's account **for at least 30 days.**
  - Exception for new accounts

- *Most commonly used method*

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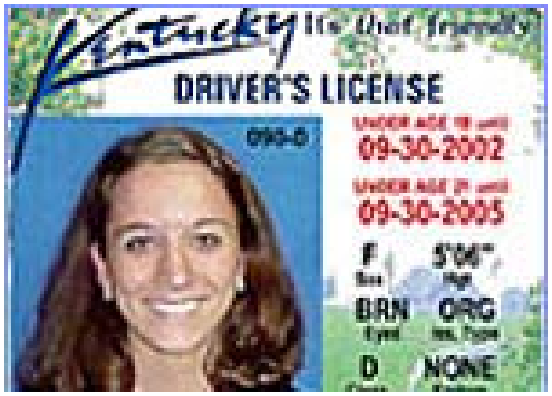
# *3.* **Authentication:** Government ID

- ID must be current.
- ID photo must match the holder of the ID.
- ID must tie to listed name on the account.
- Acceptable IDs:
  - Driver's license
  - Passport
  - Military ID
- Not acceptable:
  - Student ID
  - Social Security Card

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# *4.* **Authentication:** Password / PIN

- Passwords / PINs can be establishment after authentication of the Customer.
- Company assigned-passwords cannot include biographical data such as SSN, Student ID #, mother's maiden name or address or account information.
- A random PIN number can be used to initially establish a password.

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# Establishing a Password / PIN

- PINs may be established in the initial provisioning of the account or at any time during the life of the account
  - PIN assignment or release requires **authentication**
- Authentication on new PINs:
  - In person with a government ID
  - Mailing to the billing address of record
  - Calling the Customer at the telephone number of record
- PINs cannot be established by the company using account or biological data

***Billing system modifications may be required***

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# Changing a Password / PIN

- Authentication methods 1-4 can be used to change PIN
  - Authentication for a change in PIN can be done by using the current PIN
- Customer may be allowed to select his own PIN
- Carrier should discourage use of biological and account data
  - Never suggest a format that uses biological or account data

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# **Recovery Questions** May Be Used to Recover PINs / Authenticate

- Favorite childhood pet's name
- Favorite song / musician / movie / author
- Favorite hobby
- Country I'd most like to visit
- Person I'd most like to meet
- City where met current spouse
- Farthest from home traveled
- Question of the customer's choosing

Recovery Questions must be treated with the same level of confidentiality as the passwords themselves

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# Exemption for Businesses Customers

Authentication is not required if the communications-related service **contract** meets all of the following criteria:

1. is with a business customer,
2. is serviced by a dedicated account representative as the primary contact, and
3. specifically addresses the carrier's protection of CPNI.

In these cases, the authentication rules are superseded by the service contract.

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# (pointless) Exemption to Discuss a Single Call Event

- Limited to a single event.
- Customer – not carrier – must volunteer all information to be discussed.
- No additional information can be volunteered by the carrier to the customer.

In other words, if the customer volunteers the information you can discuss it with him

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# Authentication for Disclosure *other than call records*

- Release of call detail record CPNI versus all other CPNI is held to a higher standard.
- The standard of authentication for all other CPNI disclosure remains lower.
- Authentication for release of other CPNI still requires "reasonable" authentication measures.
  - "Reasonable" must be inferred
- FCC suggests that it will impose the higher standard on all CPNI in a further rule making anyway.

# Authentication for Release of CPNI

- Are you being asked to **provide** information specific to a customer's service?
- **Authenticate**
  - "Four methods" for call detail
  - "Reasonable methods" for all other data

***Don't Volunteer without Authentication***

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# Notices Following Change in Authorization Method

- Notice required
  - Change of password / PIN
  - Change of billing address
  - Addition of authorized users
- Notices must be "generic." They may reference the change in authentication has occurred but may not specify what change has occurred.
- Notice may be provided via automated call to the number of record or text message.

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# Notices (cont'd)

- Notice must be "immediate."
- Notice may also be mailed (or emailed) to the address of record *however* that address must have been established for 30 days.
  - Notices regarding change in service address must be sent to the prior address if mailed

***Billing system modifications may be required***

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# On-line Accounts Access

- Online account access must be password protected.
- Small businesses have an additional six months to comply (effective June 8, 2008).
- Establishment
  - Carriers cannot base authentication for online access solely on readily available biographical or account information.
  - Suggestion: Establish online passwords of randomly-generated PINs to customers. Prompt at log in to set up personalized passwords for future access.
- Retrieval: Retrieval authentication requirements for online access are the same as for telephone access.

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# Employee Obligations

- Requires training in the use / disclosure of CPNI
- Requires carriers to have an express disciplinary process in place for violation

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