Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2016 covering the prior calendar year 2015

1. Date filed: February 26, 2016

2. Name of company covered by this certification: Bay Springs Communications, Inc.

3. Form 499 Filer ID: 828669

4. Name of signatory: James W. Garner

5. Title of signatory: Vice President

6. Certification:

I, James W. Garner, 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 an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, safeguards, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken actions (*i.e.,* 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 not received 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 _____

Attachment: Accompanying Statement explaining CPNI procedures

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2015 ANNUAL STATEMENT OF FCC CPNI RULE COMPLIANCE

FEBRUARY 26, 2016

This statement serves to explain how Bay Springs Communications, Inc. is complying with Federal Communications Commission ("FCC") rules related to the privacy of customer information. The type of information for which customer privacy is protected by the FCC's rules is called "customer\ proprietary network information" ("CPNI"). The FCC's rules restricting telecommunication company use of CPNI are contained at Part 64, Subpart U of the FCC's rules (47 C.F.R. §§ 64.2000-2011).

All subsequent references to rule Sections refer to rules under Part 64, Subpart U unless indicated otherwise.

The Company uses, discloses or permits 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.

1. Identification of CPNI

The Company has established procedures and trained employees having access to, or occasion to use customer data, to identify what customer information is CPNI consistent with the definition of CPNI under the Section 64.2003(g) and Section 222(f)(1) of the Communications Act of 1934 as amended (47 U.S.C. § 222(f)(1)).

2. Identification of Services Affected by CPNI Rules

The Company has established procedures and trained employees to recognize the different types of telecommunications and non-telecommunications services that affect how the Company uses CPNI.

3. Identification of Permissible Uses of CPNI without Customer Authorization

The Company has established procedures and trained employees having access to, or occasion to use CPNI, to identify uses of CPNI **not** requiring customer authorization under Section 64.2005.

The Company uses, discloses, or permits access to CPNI for the purposes of providing or marketing service offerings among the categories of service to which the customer already subscribes without customer approval.

The Company does not share CPNI among its affiliates at this time; however the Company understands that if a customer subscribes to more than one category of service offered, the Company may share CPNI among its affiliated entities that provide a service offering to the customer. Furthermore, the Company understands that if the customer does not subscribe to more than one offering, the Company is not permitted to share CPNI with its affiliates, except as provided in Section 64.2007 (b).

The Company does not use, disclose, or permit access to CPNI to market to a customer service offerings that are within a category of service to which the subscriber does not already subscribe, unless the Company has customer approval to do so, except as described in Paragraph (c) of Section 64.2007 (b).

The Company does not use, disclose, or permit access to CPNI to identify or track customers that call competing service providers.

4. Identification of Uses of CPNI Requiring Customer Authorization

The Company has established procedures and trained employees having access to, or occasion to use CPNI, to identify uses of CPNI requiring customer authorization under Section 64.2007.

The Company understands that it may obtain customer approval through written, oral or electronic methods. The Company further understands that if oral approval is obtained it bears the burden of demonstrating that such approval has been given in compliance with the Commission's rules in Section 64.2007.

The Company understands that the approval or disapproval to use, disclose, or permit access to a customer's CPNI obtained by the Company must remain in effect until the customer revokes or limits such approval or disapproval.

The Company maintains records of approval, whether oral, written or electronic, for at least one year.

5. Customer Notification and Authorization Process

The Company has trained employees with a need and/or responsibility for obtaining customer authorization to use CPNI for marketing purposes, regarding the notice and approval requirements under Section 64.2008.

Prior to any solicitation for customer approval, the Company provides notification to the customer of the customer's right to restrict use of, disclosure or, and access to that customer's CPNI.

The Company maintains a record of notification, whether oral, written or electronic, for at least one year.

Individual notice to customers is provided when soliciting approval to use, disclose, or permit access to customers' CPNI.

The notification provides sufficient information to enable the customer to make an informed decision as to whether to permit the Company to use, disclose, or permit access to the customer's CPNI.

The notification states that the customer has a right, and the Company has a duty, under federal law, to protect the confidentiality of CPNI.

The notification specifies the types of information that constitute CPNI and the specific entities that will receive the CPNI, describes the purposes for which CPNI will be used, and informs the customer of his or her right to disapprove those uses, and deny or withdraw access to CPNI at any time.

The notification advises the customer of the precise steps the customer must take in order to grant or deny access to CPNI, and clearly states that a denial of approval will not affect the provision of any services to which the customer subscribes.

The notification is comprehensible and not misleading.

The notification does not include any statement attempting to encourage a customer to freeze third-party access to CPNI.

The notification states that any approval or denial of approval for the use of CPNI outside of the services to which the customer already subscribes is valid until the customer affirmatively revokes or limits such approval or denial.

6. Record of Customer CPNI Approval/Non-Approval

The Company has developed and utilizes a system for maintaining readily accessible record of whether and how a customer has responded to Opt-Out approval as required by Section 64.2009(a).

7. Procedures Protecting Against Disclosure of CPNI

During 2007, the Company implemented procedures for compliance with new Section 64.2010 including, but not limited to the following:

Authentication of customers before disclosing CPNI on customer-initiated telephone contacts or business office visits.

The Company provides customers with on-line access to customer account information for which the Company has initiated procedures to control access in compliance with Section 64.2010(c) comprising authentication through a password established in compliance with Section 64.2010(e).

The Company has implemented password back-up authentication procedures in compliance with Section 64.2010(e).

The Company has implemented procedures to notify customers of account changes.

8. Actions Taken Against Data Brokers

Pursuant to Section 64.2009, the Company makes the following explanation of any actions taken against data brokers and a summary of all customer complaints received in the past year concerning the unauthorized release of CPNI:

Not applicable. No actions taken against data-brokers.
No customer complaints received.

9. Disciplinary Process

The Company has in place an express disciplinary process to address any unauthorized use of CPNI where the circumstances indicate authorization is required under Section 64.2009(b).

10. Supervisory Review Process for Outbound Marketing

Before undertaking to use CPNI for outbound marketing purposes, the Company will establish a supervisory review process to ensure compliance with Section 64.2009(d) of the FCC's Part 64, Subpart U CPNI rules.

11. Procedures for Notifying Law Enforcement of CPNI Security Breaches

The Company has adopted procedures to comply with Section 64.2011 for notifying law enforcement of CPNI security breaches, together with related recordkeeping and deferred notification to customers.