

Customer Proprietary Network Information: Background

In today's world, we are familiar with the sensitivity and potential for misuse of information such as social security numbers and credit card numbers.

However, as an Interconnected VoIP Service Provider DCS (and Digium through its support of DCS) has access to a unique and highly-regulated form of personal information known as Customer Proprietary Network Information or CPNI.

CPNI is the information generated in connection with Switchvox Cloud. CPNI includes, for example, the following: (1) what was purchased; (2) how much was purchased; (3) how much was paid; (4) the term of the contract; (5) the configuration of the service; and (6) call details (the phone numbers the customer calls and the numbers calling the customer, the call times and dates, etc.)

CPNI does not include customer names, addresses, or phone numbers; however, this information is protected under [Digium's Privacy Policy](#).

Frequently Asked Questions

1. Question: What is CPNI?

Answer: Let's use this hypothetical customer.

Jenny lives in Alabama and her telephone number is 867-5309. Jenny licenses a single seat of Switchvox Cloud on a month to month contract at \$35.00 per user.

Jenny calls her friend Tommy in Oregon every Tuesday night at 8 pm.

The following information is CPNI:

1. Jenny licenses Switchvox Cloud;
2. Jenny licenses a single seat;
3. Jenny is on a month to month contract;
4. Jenny calls Oregon;
5. Jenny calls Tommy;
6. Jenny calls on Tuesday nights;
7. Jenny calls at 8 pm; and
8. Jenny pays \$35.00 per user.

The configuration of Jenny's Switchvox Cloud instance is also CPNI.

What is NOT CPNI is the information that Jenny lives in Alabama and that her phone number is 867-5309.

2. Question: What is an email address of record and a telephone number of

Customer Proprietary Network Information (CPNI)

record?

Answer: An email address of record means an address that we have associated with the customer's account for at least 30 days. If the customer's account is less than 30 days old, then it is the postal or electronic address which was provided by the customer at account activation.

A telephone number of record means the telephone number associated with the underlying service, not the telephone number supplied as a customer's "contact information".

Sending Marketing Communications

All of our products and services fall within the VoIP services category or adjunct to basic category. Therefore, we may initiate marketing of all the services and products to the customer without opt in or opt out consent having first been received.

For purposes of example, if we wish to market a Switchvox Cloud year or multi-year contract to a customer on a Switchvox Cloud month-to-month contract we may use the CPNI (knowing what the customer purchased and the term of the contract) to send marketing materials without first obtaining opt in or opt out consent. Upselling in a category of services or products which a customer already buys from does not require opt-in consent.

Should we develop products or services that fall outside of these categories, we will only use the customer's name and e-mail address (subscriber list information) to send the communication.

However, the customer may ALWAYS elect to opt out of receiving these communications and at no cost by responding to the email with the communication and stating customer wishes to opt out, calling at 1 (844) 894-1314, or by completing the opt out form available at <http://www.digium.com/en/company/subscribe/mailing-list>.

If the customer wishes to unsubscribe from a particular marketing list, the customer may do so by clicking the unsubscribe link at the bottom of the marketing email.

When our usage of CPNI requires opt-in or opt-in consent, for example if we wish to publish a case study about a DCS customer, we provide the customer with minimum notice as follows: (1) We state the customer has a right, and we have a duty, under federal law, to protect the confidentiality of CPNI; (2) we specify the types of information that constitute CPNI and the specific entities that will receive the CPNI, describe the purposes for which CPNI will be used, and inform the

Customer Proprietary Network Information (CPNI)

customer of his or her right to disapprove those uses, and deny or withdraw access to CPNI at any time; (3) we advise the customer of the precise steps the customer must take in order to grant or deny access to CPNI, and clearly state that a denial of approval will not affect the provision of any services to which the customer subscribes; and (4) we state that any approval, or denial of approval for the use of CPNI outside of the service to which the customer already subscribes from that carrier is valid until the customer affirmatively revokes or limits such approval or denial.

Providing CPNI to Agents, Emergency Call Takers, Law Enforcement, and Persons Designated by Customer

We use agents authorized under contract to assist in initiating, rendering, billing, and collecting for telecommunications services. The agents are contractually bound to only utilize CPNI for these purposes and they may do so without having first received customer opt in or opt out consent.

If we believe the customer has violated the DCS Acceptable Use Policy (a copy of which is available for viewing at <http://www.digium.com/en/company/policies/dcs-acceptable-use-policy>) or any other DCS terms regarding prevention of fraudulent, abusive, or unlawful use of, or subscription to the DCS services or any law regarding such then we will use, disclose, and permit access to CPNI to the extent necessary to protect ourselves, users of DCS services, and other carriers from further fraudulent, abusive, or unlawful actions.

Additionally, we may disclose CPNI without customer approval if required by a Public Safety Answering Point (PSAP), i.e. emergency call takers.

We must provide CPNI to any person designated by customer, upon receipt of an affirmative written request from customer. We may not encourage a customer to freeze third party access to CPNI.

We must provide CPNI when required by law such as through a subpoena or other request from law enforcement.

Providing CPNI Over the Telephone in Response to Customer-Initiated Contact or Providing CPNI via E-mail

We never disclose CPNI over the telephone during a customer-initiated call. If the customer does not first disclose the CPNI themselves, we will only disclose CPNI by e-mailing to the customer's electronic address of record or by calling the customer at the telephone number of record.

If the customer is able to first disclose the CPNI to us during a customer-initiated

Customer Proprietary Network Information (CPNI)

call without our assistance, then we may discuss that CPNI provided by the customer. For example, if a customer calls and says they want to discuss moving from a month to month Switchvox Cloud contract to an annual contract we may then discuss the term of the customer's current contract. If a customer calls and says they want to move to a longer term Switchvox Cloud contract without specifying the term of their current contract, then we may not discuss the term of their current contract with them on that call.

If the customer is unable to disclose the CPNI, such as the term of their current contract, and if it is necessary to discuss this then we either: (a) ask the customer what the term of their contractor is; or (b) hang up and call the customer at the telephone number of record; or (c) send an email to the customer's email address of record to discuss the term of their current contract and switching to a different contract term. If a customer sends an e-mail indicating they wish or need to discuss CPNI then, after verifying it is the e-mail address of record for the customer, we may discuss customer CPNI by replying to the e-mail.

Providing CPNI Through Online Access (Portal Access)

If a DCS customer needs access to the portal we request that the customer first contact their admin. If the admin is no longer with the customer's company, then we will direct the customer to Digium's Customer Success Department. Customer Success will authenticate the customer prior to granting access to the portal.

The customer can be authenticated by answering either one of the following questions correctly:

- (1) What is your DCS Account Number; or
- (2) What are the last 4 digits of the credit card used to make the purchase?

If the information is not readily available to the customer at the moment they may reach out again when they have this information readily available and Customer Success may then authenticate and grant access to the portal.

The password to the portal does not rely on readily available biographical information or account information to create the password or to reset the password.

Notification to Customer of Certain Account Changes

We e-mail a notice to customer's electronic address of record whenever certain changes to customer's user profile in their portal, such as a change to their password or address of record or creation of a password or address of record, occurs. The notice does not include or reveal the changed information. If the

Customer Proprietary Network Information (CPNI)

address of record was changed this notice does not go to the new address of record.

Notification to Customer and Public in the Event of a CPNI Breach

Our policy is to notify the United States Secret Service (“USSS”) and Federal Bureau of Investigation (“FBI”) as soon as practical, but in no event later than seven (7) business days after a reasonable determination has been made that a breach has occurred. Similarly, our policy is to notify customers of the breach no sooner than the 7th business day after our notification to the USSS and the FBI unless directed by the USSS or FBI to not so disclose or notify customers. We may extend the period for customer notification pursuant to a written request of the relevant law enforcement agency.

Contact Information for Questions and Concerns

We are committed to the protection of customers’ CPNI and full compliance with the FCC’s CPNI rules. Questions and/or concerns regarding this policy should be directed to the General Counsel and Director of Compliance who may be reached by emailing legal@digium.com .

Link to Rules

The CPNI rules can be found in [Title 47 Telecommunication](#) (Communications Act of 1934, as amended)