

FCC Issues Enforcement Advisory Discussing Upcoming Annual CPNI Certification Filing Deadline

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Earlier today, the Federal Communications Commission released an enforcement advisory reminding telecommunications carriers and interconnected VoIP providers of the upcoming annual customer proprietary network information (“CPNI”) certification due by March 2, 2015. For Kelley Drye’s own advisory on this CPNI filing requirement, please see the attached [alert](#).

In addition to identifying the relevant CPNI rules and certification format, the FCC’s advisory highlighted common certification errors such as failing to explain how the filer’s operating procedures ensure compliance with the CPNI rules or failing to have an officer certify the filing based on “personal knowledge.” The FCC’s advisory also emphasized the potential for monetary penalties for noncompliance with the CPNI protection and certification filing rules. As noted in the advisory, enforcement penalties for noncompliance can include monetary forfeitures of up to \$160,000 for each violation or each day of a continuing violation (up to a maximum of \$1,575,000). The FCC actively enforces the CPNI rules and, as addressed in Kelley Drye’s September 5, 2014 [blog post](#), the FCC recently entered into a \$7.4 million consent decree with Verizon to resolve a CPNI investigation. Accordingly, carriers and VoIP providers should timely file the annual CPNI certification and review their practices to ensure compliance with the CPNI rules.