

# **YourTel America, Inc. Subscriber Privacy Policy**

*Last Updated April 18, 2009*

## **Introduction**

YourTel America is committed to protecting the privacy of its subscribers. We respect and protect your privacy. As a provider of telecommunications services and products we recognize that we must take measures to maintain the confidentiality of every customer's telephone calling and other account information.

This Privacy Policy governs only YourTel America's treatment of information about subscribers to YourTel America service (the "Service"). By applying for or continuing to receive the Service, you agree to the terms of this Policy. This Privacy Policy does not apply to any goods or services controlled by third parties, even if those third parties are partners of YourTel America.

Use of YourTel America's website is subject to the Website Privacy Policy, available at [http://www.yourtelamerica.com/content/privacy\\_policy.asp](http://www.yourtelamerica.com/content/privacy_policy.asp).

YourTel America reserves the right, in its sole discretion, to modify or change this Privacy Policy at any time with or without prior notice to you. This Privacy Policy is available online at [http://www.yourtelamerica.com/content/guides\\_forms.asp](http://www.yourtelamerica.com/content/guides_forms.asp). You should visit this URL to review the current Privacy Policy on a regular basis. The date of the last update will be posted at the top of this Privacy Policy for your convenience. Your continued use of the Service following the posting of any changes to the Privacy Policy constitutes your full acceptance of those changes.

## **The Scope of this Privacy Policy**

This Privacy Policy addresses the privacy of YourTel America customers and in the United States. Where applicable, YourTel America may comply with the laws of other countries that contain mandatory requirements that differ from this statement. In selected jurisdictions outside the United States, YourTel America may adopt a separate privacy statement to reflect the requirements of applicable local laws.

This Policy identifies the types of data and information we collect, how we use it, how you can control its use and the steps we take to protect it. The primary focus of this statement is non-public information ("personal identifying information") that identifies or that is linked to the identity of you, our customer.

## **Information Collection and Use**

When you apply to become a subscriber of the Service, and at certain times throughout your relationship with YourTel America, YourTel America will ask you for personal information such as your name, address, telephone number and email address, and financial information such as your credit card information. In addition to the information you provide, YourTel America may obtain additional information about you from other sources.

The information you provide to YourTel America, and the information YourTel America obtains about you (collectively, your "Personal Information"), may be used (a) for billing and collections

purposes; (b) to provide you with the products and services you request; (c) to anticipate and resolve problems with our products and services; (d) to process and respond to inquiries; and (e) for other purposes communicated to you at the time you provide or authorize the use of the information; and (f) to enforce our legal rights, including our Terms of Service and our Subscriber Agreement.

### **Information We Disclose**

YourTel America does not rent, sell, or share your Personal Information with third parties other than as set forth herein.

YourTel America does not provide your personal identifying information to third parties for the marketing of their products and services without your consent nor do we use your personal identifying information for our own marketing purposes without your consent. We may use aggregated information, which does not include personal identifying information, to develop, market or sell our products and services.

### **Additional Information Disclosures**

YourTel America may use or disclose information about you, including your Personal Information, under the following circumstances:

- To enforce any agreement, including our Subscriber Agreement and Terms of Service.
- To outsource any of the tasks referenced in this Privacy Policy (e.g., billing, responding to inquiries, etc.). When we provide your personal identifying information to third parties to perform functions or services on our behalf, we require that they (a) protect that information consistent with this statement and (b) refrain from using that information for any other purpose.
- In response to a subpoena, court order, or other legal process.
- To establish or exercise our legal rights or defend against legal claims.
- When YourTel America believes such use or disclosure is (a) necessary in order to investigate, prevent, or take action regarding suspected illegal activities, fraud, or situations involving potential threats to the physical safety of any person, or (b) required by law.
- In the future, we may sell some or all of our assets or reorganize our corporate structure. In such transactions, customer information generally is one of the transferred business assets. In the event of a sale or reorganization of our assets including our database, customer information may be transferred.

YourTel America may use and disclose non-personal, aggregate, or summary information regarding our users without further notice. This type of information does not identify you individually.

### **Ways We Protect Your Information**

- We employ security measures designed to protect against unauthorized access to or unauthorized alteration, disclosure or destruction of data, including your personal identifying information. We have implemented technology and security features and strict policy guidelines to safeguard the privacy of your personal identifying information.

## **Updating Your Information**

If you need to update your information, please visit our web page at <http://www.yourtelamerica.com/content/locations.asp> for a list of our store locations and Customer Service phone numbers.

## **CUSTOMER PROPRIETARY NETWORK INFORMATION (CPNI)**

### **I. INTRODUCTION**

- This section describes and governs the permissible uses and disclosures of Customer Proprietary Network Information (CPNI). YourTel America, Inc. (YourTel America) is committed to protecting the privacy of confidential and proprietary information about you, our customer, received by virtue of the provisioning of your telecommunications services.
- Changes or amendments to this Policy will be made upon additional state and/or federal mandates or updates to YourTel America's CPNI protection process.

### **II. OUR COMMITMENT: RESPECTING AND PROTECTING CPNI**

- YourTel America recognizes that the trust of our customers requires vigilant, responsible CPNI protections.
- We respect and protect the privacy of our customers. As a provider of telecommunications services, we recognize that we must maintain the confidentiality of CPNI.
- We have a long history of vigorously protecting CPNI. Our customers expect, deserve and receive nothing less than our fullest commitment to the protection of their CPNI. We are also mandated to assist law enforcement and other government agencies in matters related to CPNI, whether it concern an individual or the security interests of the nation. Again, if and when we are asked to help, we do so strictly within the law and under the most stringent guidelines.

### **III. THE SCOPE OF THIS CPNI SECTION**

- This section concerning CPNI addresses the protection of the CPNI of YourTel America's customers in the United States. Where applicable, YourTel America will comply with the laws of other countries that contain mandatory requirements that differ from this policy. In selected jurisdictions outside the United States, YourTel America may adopt a separate CPNI policy to reflect the requirements of applicable local laws.

- This CPNI policy identifies how we use CPNI and the steps we take to protect it. This Policy applies whenever CPNI data is used internally, shared among affiliates or disclosed to any third party.
- YourTel America reserves the right for authorized individuals to audit networks and systems on a periodic basis to ensure compliance with this Policy.

#### **IV. CPNI DEFINED AND DESCRIBED**

In the normal course of providing telecommunications services to our customers, we collect and maintain certain customer proprietary network information, also known as "CPNI". CPNI is information that relates to the quantity, technical configuration, type, destination, location, and amount of use of a telecommunications service subscribed to by any customer of a telecommunications carrier, and that is made available to the carrier by the customer solely by virtue of the carrier-customer relationship; and, information contained in the bills pertaining to telephone exchange service or telephone toll service received by a customer of a carrier.

CPNI includes Call Detail Records (CDRs), which contain information that pertains to the transmission of specific telephone calls, including, for outbound calls, the number called, and the time, location, or duration of any call and, for inbound calls, the number from which the call was placed, and the time, location, or duration of any call.

- CPNI does not include information that does not fall within the above definition. For example, CPNI does not include your name, telephone number or address.

#### **V. CPNI PROTECTION**

##### **A. Passwords**

- You will be required to select a password for your account at the time you set up your account with YourTel America. YourTel America does not assign any passwords; instead, the password is selected entirely by the customer and may be in any format of the customer's choosing. We highly recommend that you select a combination of hard-to-guess letters and numbers.
- Should you either forget a password or need to select a new password, you must visit a YourTel America retail location and present a Valid Photo ID that matches the name on the account. After your identity has been verified in this manner, you may select a new password for the account.
- Should you be physically unable to visit a YourTel America store, and you need to create a new password or change your password, please contact a YourTel Customer Service Representative for alternate options.

## **B. Online Account Access**

- Regardless of the type of CPNI associated with your account, you will be required to create a password in order to access your Online Account.
- You will be required to select a password for your Online Account at the time you first access your account with YourTel America. YourTel America does not assign any passwords; instead, the password is selected entirely by you and may be in any format of your choosing. We highly recommend that you select a combination of hard-to-guess letters and numbers.
- Should you need assistance in creating your initial password, and you wish to have a YourTel America representative help you, you must visit a YourTel America retail location and present a Valid Photo ID that matches the name on the account. After your identity has been verified in this manner, you may select a new password for the account.
- Should you either forget a password or need to select a new password, you will have the option of re-setting your password online. New login information will be sent to you via email. We highly recommend that you select a secure email account for delivery purposes.
- Should you either forget a password or need to select a new password, and you wish to have a YourTel America representative reset your password for you, you must visit a YourTel America retail location and present a Valid Photo ID that matches the name on the account. After your identity has been verified in this manner, you may select a new password for the account.
- Should you be physically unable to visit a YourTel America store, and you need to create a new password or change your password, please contact a YourTel Customer Service Representative for alternate options.

## **C. Retail Location Account Access**

### *1. Access to Non-CDR CPNI*

- YourTel America will release Non-CDR CPNI in our retail location to you if you can verify your identity as a subscriber by:
  - presenting a Valid Photo ID that matches the name on the account; or
  - providing the correct password associated with the account.

### *2. Access to CDR CPNI*

- For any request for CDR CPNI, you must first verify your identity as a subscriber by:
  - presenting a Valid Photo ID that matches the name on the account.

After your identity has been verified, YourTel America will release long distance CDR information requested by the customer at the retail location. For local CDR information, the request will be forwarded to our IT Custodian of Records and the requested local CDR information will be mailed to the customer at the Address of Record. There is no charge for the first request for local CDR information, subsequent requests for local CDR will be assessed a fee.

**D. Customer-Initiated Telephone Account Access**

*1. Access to Non-CDR CPNI*

- YourTel America will release non-CDR CPNI over the phone to you if you can verify your identity as a subscriber by providing your name AND either (1) the last four digits of your social security number; (2) the zip code for your Address of Record; or (3) your account number.

*2. Access to CDR CPNI*

- YourTel America will release long distance CDR CPNI over the phone to you if you can verify your identity as a subscriber by providing the correct password associated with the account. If you cannot provide the correct password associated with the account, YourTel America will either call you back at the Telephone Number of Record or mail the requested long distance CDR CPNI to your Address of Record.
- For any request over the release of local CDR CPNI over the phone, you must first verify your identity as a subscriber by providing the correct password created for the account. After your identity has been verified, the request will be forwarded to our IT Custodian of Records and the requested local CDR information will be mailed to you at your Address of Record. There is no charge for the first request for local CDR information, subsequent requests for local CDR will be assessed a fee.
- Should you be able to pro-actively provide over the phone all the CDR information necessary to address a customer service issue (i.e., the telephone number called, when it was called and, if applicable, the amount charged for the call), then we will proceed with resolving the issue. However, we will not under these circumstances disclose to you any other CDR information from your account other than the CDR information already provided by you without you first providing the correct password associated with your account.

**E. Disclosure to Designated Persons**

YourTel America must disclose CPNI upon affirmative WRITTEN REQUEST by you to any person designated by you. Your written request will be verified by a phone call to the telephone number on the account or by sending notice to the Address of Record. You may send your request to the address below, or visit a YourTel America retail location to obtain a Request Form.

IT Custodian of Records  
YourTel America  
PO Box 270017  
Kansas City, MO 64127

**F. Notification of Certain Account Changes**

If you make a change is made to your password, or your Address of Record is created or changed at any time other than the time you first set up service, YourTel America will notify you of this change either through a voicemail or text message to the Telephone Number of Record or by mail to the Address of Record. This notification will not reveal the changed information or be sent to the new Account Information. There are no exceptions to this notification, even if the change was verified with a Valid Photo ID.

**G. Network Security**

We employ security measures designed to protect against unauthorized access to, or unauthorized alteration, disclosure or destruction of data, including CPNI. We have implemented technology and security features to safeguard the privacy of our customer's CPNI, and we will continue to enhance our security procedures as new technology becomes available.

**H. Third Parties**

No third party shall have access to CPNI without your affirmative approval, legal requirement or permitted under FCC regulations (see Section VI).

**I. When Acting As A Dealer**

When fulfilling the role of a dealer of resold wireless service in our retail location(s), YourTel America will verify the identity of a Primary Account Holder or Authorized User by requesting you, the subscriber present a Valid Photo ID that matches the name(s) on the account.

**VI. CPNI PERMITTED USES**

**A. Billing**

YourTel America may use, disclose or permit access to CPNI, either directly or indirectly through its agent, to initiate, render, bill, and collect for your telecommunications services.

**B. Protection of Rights, Property or Users**

YourTel America may use, disclose or permit access to CPNI, either directly or indirectly through its agent, to protect the rights or property of the carrier, or to protect users of those services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, such services.

**C. Telemarketing, Referral or Administrative Services**

YourTel America may use, disclose or permit access to CPNI, either directly or indirectly through its agent, to provide any inbound telemarketing, referral, or administrative services to the customer for the duration of the call, if such call was initiated by the customer and the customer approves of the use of such information to provide such service.

**VII. CPNI MARKETING USES**

Currently, YourTel America does not use CPNI for any marketing purposes. Should this change, this Policy will be updated to comply with applicable federal and state laws and regulations.

**VIII. COMPROMISED CPNI**

Should you suspect that your CPNI has been or is being used without your authorization, please contact a YourTel America retail store immediately. We will collect details from you and begin an investigation.

**XI. DEFINITIONS**

<b>Term</b>	<b>Definition</b>
Address of Record	An address of record, whether postal or electronic, is an address that the carrier has associated with the customer's account for at least 30 days.

<b>Term</b>	<b>Definition</b>
Account Information	Account information is information that is specifically connected to the customer's service relationship with the carrier, including such things as an account number or any component thereof, the telephone number associated with the account, or the bill's amount.
CDR	Call Detail Record is information that pertains to the transmission of specific telephone calls, including, for outbound calls, the number called, and the time, location, or duration of any call and, for inbound calls, the number from which the call was placed, and the time, location, or duration of any call.
CPNI	Customer Proprietary Network Information is information that relates to the quantity, technical configuration, type, destination, location, and amount of use of a telecommunications service subscribed to by any customer of a telecommunications carrier, and that is made available to the carrier by the customer solely by virtue of the carrier-customer relationship; and, information contained in the bills pertaining to telephone exchange service or telephone toll service received by a customer of a carrier. CPNI does not include the subscriber's name, telephone numbers, addresses, or primary advertising classification.
Customer	Any person or entity that subscribes to YourTel America's services.
FCC	Federal Communications Commission
Readily Available Biographical Information	Readily available biographical information is information drawn from the customer's life history and includes such things as the customer's social security number, or the last four digits of that number; mother's maiden name; home address; or date of birth.
Telephone Number of Record	The telephone number associated with the underlying service, not the telephone number supplied as a customer's contact information.
Valid Photo ID	Valid photo ID is a government-issued means of personal identification with a photograph such as a driver's license, passport, or comparable ID that is not expired.

## Questions

Please direct questions, concerns, or comments about this Privacy Policy to our email address at [privacy@yourtel.com](mailto:privacy@yourtel.com). Alternatively, you may contact us at:

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