

## **Exhibit 1**

### **WINDSTREAM CORPORATION AND ITS AFFILIATES**

#### **STATEMENT EXPLAINING HOW WINDSTREAM'S OPERATING PROCEDURES ENSURE COMPLIANCE WITH THE FCC'S CPNI RULES**

##### **I. STATEMENT OF WINDSTREAM'S CPNI POLICY AND PRACTICES**

Customer Proprietary Network Information ("CPNI") is defined in Section 222(h) of the Communications Act of 1934, as amended (the "Act") as (A) information that relates to the quantity, technical configuration, type, destination, 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 relations; and (B) information contained in the bills pertaining to telephone exchange service or telephone toll service received by a customer of a carrier (except that CPNI does not include subscriber list information).

Generally, CPNI includes personal information regarding a customer's use of his or her telecommunications services. CPNI encompasses information such as: (a) the telephone numbers called by a customer; (b) the telephone numbers calling a customer; (c) the time, location and duration of a customer's outbound and inbound phone calls; and (d) the telecommunications services purchased by a customer.

Call detail information (also known as "call records") is a category of CPNI that is particularly sensitive from a privacy standpoint and that is sought by pretexters, hackers and other unauthorized entities for illegitimate purposes. Call detail includes any information that pertains to the transmission of a specific telephone call, including the number called (for outbound calls), the number from which the call was placed (for inbound calls), and the date, time, location and/or duration of the call (for all calls).

The policy of Windstream Corporation and its affiliates (collectively, "Windstream" or the "Company") is to comply with the letter and spirit of all CPNI laws and implementing rules. The principal procedures utilized by Windstream to comply with laws and rules pertaining to CPNI contained in the Act and the FCC's rules at 47 C.F.R. Part 64 Subpart U (the "FCC Rules"), are documented below.

The FCC's regulations require Windstream to:

- Implement a system to clearly establish the status of a customer's CPNI approval prior to the use of CPNI. Windstream has done so.
- Train its personnel as to when they are, and are not, authorized to use CPNI. Windstream has implemented such a training program for all employees.
- Have an express disciplinary process in place for violation of Windstream's CPNI policies and procedures. Windstream has implemented such a disciplinary process.

All employees of Windstream are required to follow the policies, procedures and practices specified herein.

## **II. USE OF CPNI IN GENERAL**

Except as otherwise described herein, when Windstream receives or obtains CPNI by virtue of its provision of a telecommunications service, it may only use, disclose or permit access to individually identifiable CPNI in its provision of:

1. The telecommunications service from which the information is derived; or
2. Services necessary to, or used in, the provision of the telecommunications service, including the publishing of directories; and for purposes described in Section III.E below.

## **III. GUIDELINES FOR USE AND RELEASE OF CPNI**

A. Windstream uses, discloses and/or permits authorized employee access to CPNI in connection with Company-initiated marketing of services to which a customer does not already subscribe from the Company (out-bound marketing) only pursuant to the notice and approval procedures set forth in Sections 64.2007, 64.2008 and 64.2009 of the FCC's Rules. All proposed out-bound marketing activities are reviewed by Company supervisory officials for compliance with the CPNI restrictions and requirements in the Act and the FCC Rules.

B. Unless a customer has opted-out from the use of their CPNI, Windstream may use or permit authorized employee access to CPNI to market service offerings to which the customer does not already subscribe from Windstream.

C. Windstream employees, agents, independent contractors and joint venture partners may **NOT** use CPNI to identify or track customers who have made calls to, or received calls from, competing carriers. Nor may the Company's employees, agents, independent contractors or joint venture partners use or disclose CPNI for any purpose beyond the scope of their employment or contractual responsibilities.

D. Without prior customer approval, Windstream may use, disclose or permit authorized employee access to CPNI for the purpose of providing or marketing service offerings within the same categories of service to which the customer already subscribes from Windstream.

E. Windstream may use, disclose or permit access to CPNI, without customer approval, as described below:

1. To provide inside wiring installation, maintenance, and repair services.
2. To market services formerly known as adjunct-to-basic services, such as, but not limited to, speed dialing, computer-provided directory assistance, call monitoring, call tracing, call blocking, call return, repeat dialing, call tracking, call waiting, caller I.D., call forwarding and Centrex features.

3. For the provision of customer premises equipment and call answering, voice mail or messaging, voice storage and retrieval services, fax store and forward, and protocol conversion.
4. 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.
5. To initiate, render, bill and collect for communications services.
6. To provide call location information regarding mobile users in certain emergency situations (may be used by Company's wireless affiliates and authorized employees).
7. As otherwise required by law, for example, pursuant to a valid subpoena.

F. Since December 8, 2007, Windstream discloses or releases call detail information to customers as a result of customer-initiated telephone contacts only by sending a copy of such information to the customer's address of record. If during a customer-initiated telephone call the customer is able to provide to the company all of the call detail information necessary to address a specific customer service issue (*i.e.*, the telephone number called, when it was called, and, if applicable, the amount charged for the call) without company assistance, then the Company may take routine customer service actions related to such information. However, under this circumstance, the Company may not disclose to the customer any call detail information about the customer account other than the call detail information that the customer provides.

G. Since December 8, 2007, the Company notifies customers immediately of certain changes in their accounts that may affect privacy or security matters as required in Section 64.2010(f) of the FCC's Rules.

H. Since December 8, 2007, the Company will provide an initial notice to law enforcement and a subsequent notice to the customer if a security breach results in the disclosure of the customer's CPNI to a third party without the customer's authorization. As soon as practicable (and in no event more than seven (7) days) after the Company discovers that a person (without authorization or exceeding authorization) has intentionally gained access to, used or disclosed CPNI, the Company will provide electronic notification of such breach to the United States Secret Service and to the Federal Bureau of Investigation via a central reporting facility accessed through a link maintained by the FCC at <http://www.fcc.gov/eb/cpni>. Records of such unauthorized access and notifications will be maintained for at least two (2) years.

I. Since December 8, 2007, the Company may provide customers with access to CPNI at its retail locations if the customer presents a valid photo ID and the valid photo ID matches the name on the account.

J. Since December 8, 2007, the Company takes reasonable measures to discover and protect against activity that is indicative of pretexting and other unauthorized access to CPNI.

#### **IV. OBTAINING CUSTOMER APPROVAL FOR USE OF CPNI**

##### **A. Soliciting Customer Approval**

Because Windstream desires to use CPNI for the purpose of marketing services and products to its customers outside the scope of their total services, Windstream obtains approval to use CPNI through written, oral or electronic methods.

1. If Windstream relies on an oral approach, it bears the burden of demonstrating that such approval has been given in compliance with the FCC's regulations.
2. A customer's approval or disapproval to use, disclose, or permit access to CPNI remains in effect until the customer revokes or limits such approval or disapproval.

##### **B. Use of Opt-Out and Opt-In Approval Processes**

1. Windstream utilizes the opt-out method in obtaining approval to use a customer's individually identifiable CPNI for the purpose of marketing communications-related services outside the category to which the customer already subscribes.
2. In order for Windstream to disclose its customers' individually identifiable CPNI, for the purpose of marketing communications-related services, to joint venture partners and independent contractors, Windstream utilizes the opt-in method to obtain approval.
3. If Windstream discloses or provides access to CPNI to a joint venture partner or independent contractor, in addition to obtaining opt-in customer approval, it enters into confidentiality agreements with such contractors or partners. The confidentiality agreement at a minimum:
  - i. Requires that the independent contractor or joint venture partner use the CPNI only for the purpose of marketing or providing the communications-related services for which Windstream has provided the CPNI;
  - ii. Disallows the independent contractor or joint venture partner from using, allowing access to, or disclosing the CPNI to any party, unless required to make such disclosure under force of law; and
  - iii. Requires that the independent contractor or joint venture partner have appropriate protections in place to ensure the ongoing confidentiality of consumers' CPNI.
4. Windstream utilizes the services of dealers in some markets. It is Windstream's policy not to share CPNI data with those dealers until Windstream has received written instruction from prospective customers of the dealers authorizing Windstream to share any prospective customer's CPNI with the dealers.

#### **V. NOTICES REQUIRED FOR USE OF CPNI**

##### **A. Mandatory Notices Regarding Solicitation**

1. Prior to soliciting any customer approval to use, disclose, or permit access to customers' CPNI, Windstream notifies the customer of the customer's right to restrict use of, disclosure of, and access to the customer's CPNI.
2. Windstream maintains records of the notification and any subsequent approval, whether oral, written or electronic, for at least one (1) year.
3. Content of Notice: Customer notification provides sufficient information to enable the customer to make an informed decision whether to permit Windstream to use, disclose or permit access to the customer's CPNI. The notification:

- i. States that the customer has a right, and Windstream has a duty, under federal law, to protect the confidentiality of CPNI.
  - ii. Specifies the types of information that constitute CPNI and the entities that will receive the CPNI, describes the purposes for which CPNI will be used, and informs the customer of the right to disapprove those uses, and deny or withdraw access to CPNI at any time.
  - iii. Advises the customer of the precise steps the customer must take in order to deny access to CPNI, and must clearly state that a denial of approval will not affect the provision of any services to which the customer subscribes.
  - iv. Is comprehensible and not misleading.
  - v. States that any approval or denial of approval for the use of CPNI outside of the service to which the customer already subscribes is valid until the customer affirmatively revokes or limits such approval or denial.
4. The written notification is clearly legible and is placed in an area so as to be readily apparent to a customer.
  5. If any portion of a notification is translated into another language, then all portions of the notification are translated into that language.
  6. Windstream states in the notification that the customer's approval to use CPNI may enhance Windstream's ability to offer products and services tailored to the customer's needs.
  7. Windstream does not include in the notification any statement attempting to encourage a customer to freeze third-party access to CPNI.
  8. The solicitation for the customer's approval must be proximate to the notification of the customer's CPNI rights.

#### **B. Opt-Out Notice Requirements**

Windstream provides notification to obtain opt-out approval through electronic or written methods, but not by oral communication (except for one-time use of CPNI, as discussed in V.C. below). The contents of any such notification will comply with the requirements of V.A.3. above.

1. Windstream waits for a 30-day minimum period of time after giving customers notice and an opportunity to opt-out before assuming customer approval to use, disclose or permit access to CPNI. Windstream may, in its discretion, provide for a longer period. Windstream notifies customers as to the applicable waiting period for a response before approval is assumed.
2. If Windstream sends the notification by mail, the 30-day waiting period begins on the third day following the date that the notification was mailed.
3. Because Windstream uses the opt-out mechanism, it provides notice to its customers every two (2) years.
4. New Windstream customers receive an opt-out notice in their first bill via a bill message.

#### **C. Notice Requirements Specific to One-Time Use of CPNI**

1. Windstream uses oral notice to obtain limited, one-time use of CPNI for inbound and outbound customer telephone contacts for the duration of the call, regardless of whether carriers use opt-out or opt-in approval based on the nature of the contact.
2. The contents of any such notification comply with the requirements of V.A.3., except that in the context of such limited, one-time use of CPNI, Windstream omits the following as not relevant to the limited use for which it seeks to use CPNI:

- i. Windstream does not have to advise opt-out customers that no action is needed to maintain the opt-out election.
- ii. Windstream does not have to advise customers that it may share CPNI with its affiliate(s) if the limited CPNI usage will not result in use by, or disclosure to, an affiliate or third party.
- iii. Windstream does not need to disclose the means by which the customer can deny or withdraw future access to CPNI, so long as Windstream explains to customer that the scope of the approval is limited to one-time use.
- iv. Windstream does not have to disclose precise steps a customer must take in order to grant or deny access to CPNI, as long as the customer can deny access to his CPNI for the call.

## **VI. SAFEGUARD REQUIREMENTS**

Windstream must take reasonable means to discover and protect against attempts to gain unauthorized access to CPNI, and must properly authenticate customers prior to disclosing CPNI based on customer-initiated telephone contact, online account access, or an in-store visit.

### **A. Customer Telephone Access to CPNI**

Call detail information can only be disclosed over the telephone in a customer-initiated telephone contact if the customer provides a password that is not prompted by Windstream asking for readily available biographical information or account information.

- i. If the customer does not provide a password, Windstream may only disclose call detail information by sending it to the customer's address of record or by calling the customer at the telephone number of record.
- ii. If the customer provides call detail information to Windstream during a customer-initiated call without Windstream's assistance, then Windstream can discuss the call detail information provided by the customer.

### **B. Customer Online Access to CPNI**

1. Before a customer can access CPNI related to a telecommunications service account online, Windstream must authenticate the customer without the use of readily available biographical information or account information.
2. Once Windstream has authenticated the customer, the customer may only obtain online access to CPNI related to a telecommunications service account through a password that is not prompted by Windstream asking for readily available biographical information or account information.

### **C. Customer In-Store Access to CPNI**

Windstream may disclose CPNI to a customer at a Windstream retail location who first presents to Windstream or its agent a valid photo ID matching the customer's account information.

### **D. Establishment of Password, Back-Up Authentication**

1. Windstream cannot authenticate a customer using readily available biographical information or account information when a customer establishes a password. "Readily available biographical

information” includes such things as the customer’s social security number, or the last four digits of that number; the customer’s mother’s maiden name; a home address; or a date of birth.

2. If a customer loses or forgets a password, Windstream may create a back-up authentication method, but Windstream may not prompt the customer for readily available biographical information or account information.

3. If a customer cannot provide the correct password or correct response for the back-up authentication method, the customer must establish a new password.

#### **E. Notification of Account Changes**

1. Windstream must notify customers immediately whenever a password, customer response to a back-up means of authentication for lost or forgotten passwords, online account, or address of record is created or changed.

i. The notification can be through a Windstream-originated voicemail or text message to the telephone number of record, or by mail or email to the address of record.

ii. The notification must not reveal the changed information or be sent to the new account information.

2. Notification of account change is not required when a customer initiates service, including the selection of a password at service initiation.

#### **F. Business Customer Exemption to Authentication Requirement**

Business customers with a dedicated account representative and a contract specifically addressing Windstream’s protection of CPNI can be subject to authorization processes other than those described in subsection A-D herein.

In addition to the safeguards and recordkeeping requirements described above, Windstream employs the following safeguards and practices for purposes of compliance with Section 64.2009 of the FCC Rules:

#### **A. Windstream Management Safeguards**

1. Training of Company personnel includes a review of Windstream’s CPNI Computer-Based Training module by all new employees and all existing employees who have not previously done so.

2. Windstream provides additional training on an as-needed basis.

3. Company personnel makes no decisions regarding use of CPNI not authorized by Windstream’s policy as reflected in this Statement of Compliance without first consulting one of the following:

Director – Product Marketing

Staff Manager – Regulatory Counsel

Privacy Committee

4. In deciding whether the contemplated use of CPNI is proper, the individual(s) listed in the previous paragraph consult Windstream policy, applicable FCC regulations and, if necessary, legal counsel.

5. Any improper use of CPNI results in disciplinary action in accordance with established Company disciplinary policies. Any improper use may result in suspension or termination of employment in appropriate cases.

6. Windstream will provide written notice within five (5) business days to the FCC of any instance where the opt-out mechanisms do not work properly, to such a degree that consumers' inability to opt-out is more than an anomaly.

- i. The notice will be in the form of a letter, and will include Windstream's name, a description of the opt-out mechanism(s) used, the problem(s) experienced, the remedy proposed and when it will be/was implemented, whether the relevant state commission(s) has been notified and whether it has taken any action, a copy of the notice provided to customers, and contact information.
- ii. Windstream must submit the notice even if Windstream offers other methods by which consumers may opt-out.

7. In the event Windstream breaches a customer's CPNI, Windstream will notify the United States Secret Service ("USSS") and the Federal Bureau of Investigation ("FBI") no later than seven (7) business days after reasonable determination of such breach, and will notify customers or disclose such breach to the public no sooner than seven (7) full business days after notification to the USSS and FBI unless other arrangements are made with the USSS and FBI.

8. On an annual basis, a corporate officer of Windstream signs a compliance certificate stating that the officer has personal knowledge that Windstream has established operating procedures that are adequate to ensure compliance with the FCC's Rules, and submit the certification and other information required under Section 64.2009(e) of the FCC Rules concerning actions (if any) taken against pretexters, customer complaints (if any) and pretexters' activities.

9. Windstream's Privacy Committee reviews these procedures on a continuing basis to ensure compliance with all FCC Rules and other privacy laws and rules, and revises these procedures as needed to reflect any subsequent revisions to the applicable rules addressing CPNI.

#### **B. Recordkeeping**

1. Windstream maintains records of its own sales and marketing campaigns that use CPNI in files clearly identified as such. These records include a description of each campaign, the specific CPNI that was used in the campaign, and the products and services that were offered as a part of the campaign. Windstream will maintain these records in its offices for a minimum of one (1) year.

2. Windstream maintains records of its third-party agents' sales and marketing campaigns that use CPNI in files clearly identified as such. These records will include a description of each campaign, and the products and services that were offered as a part of the campaign. Windstream will maintain these records in its office for a minimum of one (1) year.

3. Windstream maintains separate files in which it will retain any court orders respecting CPNI.

### **VII. ACTIONS TAKEN AGAINST DATA BROKERS**

Windstream took no action against data brokers in 2010.

### **VIII. SUMMARY OF CUSTOMER COMPLAINTS**

Windstream received no customer complaints regarding use of CPNI in 2010.



## ATTACHMENT A

### Form 499

<b>Filer ID</b>	<b>Legal Entity Name</b>
804682	D&E Networks, Inc.
805083	Windstream Arkansas, LLC
808110	Windstream Buffalo Valley, Inc.
807705	Windstream Communications Kerrville, LLC
821094	Windstream Communications Telecom, LLC
825732	Windstream Communications, Inc.
802581	Windstream Conestoga, Inc.
804681	Windstream D&E, Inc.
820376	Windstream D&E Systems, Inc.
805080	Windstream Florida, Inc.
805102	Windstream Georgia Communications, LLC
808203	Windstream Georgia Telephone, LLC
805062	Windstream Georgia, LLC
822508	Windstream Kentucky East, LLC
805149	Windstream Kentucky West, LLC
812933	Windstream Kerrville Long Distance, LLC
801714	Windstream Lexcom Communications, Inc.
826491	Windstream Lexcom Entertainment, LLC
801717	Windstream Lexcom Long Distance, LLC
821876	Windstream Lexcom Wireless, LLC
805122	Windstream Mississippi, LLC
805044	Windstream Missouri, Inc.
802434	Windstream Nebraska, Inc.
805074	Windstream New York, Inc.
805089	Windstream North Carolina, LLC
802036	Windstream of the Midwest, Inc.
805086	Windstream Ohio, Inc.
805134	Windstream Oklahoma, LLC
805092	Windstream Pennsylvania, LLC
805059	Windstream South Carolina, LLC
821878	Windstream Southwest Long Distance, LP
809320	Windstream Standard, LLC
805077	Windstream Sugar Land, Inc.
802035	Windstream Systems of the Midwest, Inc.
805095	Windstream Western Reserve, Inc.
808467	Windstream Concord Telephone, Inc.
804615	Windstream Accucomm Telecommunications, LLC
805033	Oklahoma Windstream, LLC
805035	Windstream Alabama, LLC
805105	Georgia Windstream, Inc.
805140	Texas Windstream, Inc.
820011	Valor Telecommunications of Texas, LP

**ATTACHMENT A (continued)****Form 499**

<b>Filer ID</b>	<b>Legal Entity Name</b>
825434	Windstream NuVox, Inc., f/k/a NuVox Communications, Inc.
825434	Windstream NuVox Arkansas, Inc., f/k/a NuVox Communications of Arkansas, Inc.
825434	Windstream NuVox Illinois, Inc., f/k/a NuVox Communications of Illinois, Inc.
825434	Windstream NuVox Indiana, Inc., f/k/a NuVox Communications of Indiana, Inc.
825434	Windstream NuVox Kansas, Inc., f/k/a NuVox Communications of Kansas, Inc.
825434	Windstream NuVox Missouri, Inc., f/k/a NuVox Communications of Missouri, Inc.
825434	Windstream NuVox Ohio, Inc., f/k/a NuVox Communications of Ohio, Inc.
825434	Windstream NuVox Oklahoma, Inc., f/k/a NuVox Communications of Oklahoma, Inc.
801606	Windstream Montezuma, Inc., f/k/a Montezuma Mutual Telephone Company
821560	Windstream Iowa-Comm, Inc., f/k/a Iowa Telecom Communications, Inc.
825534	Windstream IT-Comm, LLC, f/k/a IT Communications, LLC
808240	Windstream Lakedale, Inc., d/b/a Windstream Lakedale NorthStar, f/k/a Lakedale Telephone
827845	Windstream NorthStar, LLC d/b/a NorthStar Access, f/k/a Lakedale Link, LLC
808240	Windstream Lakedale Link, Inc., f/k/a Lakedale Link, Inc.
820087	Windstream EN-TEL, LLC, f/k/a EN-TEL Communications, LLC
819728	Windstream Direct, LLC, f/k/a Direct Communications, LLC
820463	Windstream Iowa Communications, Inc., f/k/a Iowa Telecommunications Services, Inc.
825765	Lakedale Communications, LLC
8002491	Windstream Norlight, Inc., f/k/a Norlight, Inc.
815924	Windstream KDL, Inc., f/k/a Kentucky Data Link, Inc.
802014	Windstream NTI, Inc., f/k/a Norlight Telecommunications, Inc.