

## **Subpoena Compliance and Exigent Circumstance Guidelines**

### **Exigent Contact Information Law Enforcement Only 405-997-5201**

This number is monitored 24x7x365 for Law Enforcement Exigent Circumstances Only (immediate danger of death or an immediate risk of serious bodily injury). This number should not be used for status requests or questions about Pottawatomie Telephone's response.

For general information or questions regarding legal process, please call Pottawatomie's legal department at 918-865-7855 or email [regulatory@mbo.net](mailto:regulatory@mbo.net)

### **Requests for Subscriber Information**

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### **Legal Response Guidelines**

Pottawatomie's Legal department assists law enforcement agencies in their investigations while protecting subscriber privacy as required by law and applicable privacy policies. The main federal statutes that Pottawatomie must conform to when releasing subscriber information are: The Cable Communications Policy Act of 1984 (47 U.S.C. § 551); The Electronic Communications Privacy Act (18 U.S.C. §§ 2510-2522, 2701-2712, 3121-3127); Communications Assistance for Law Enforcement Act (47 U.S.C. § 1001-1010); and the Telecommunications Act of 1996 (particularly, 47 U.S.C. § 222 pertaining to customer proprietary network information or CPNI). Pottawatomie also complies with all applicable state and federal laws.

### **Service of Process**

Our legal department accepts submissions of legal requests directly at [regulatory@mbo.net](mailto:regulatory@mbo.net)

Pottawatomie uses Barrow & Grimm as our registered agent. Barrow & Grimm accepts submission of legal requests for criminal and civil matters. Legal requests may be submitted to 110 W 7<sup>th</sup> St., Suite 900, Tulsa, OK 74119.

### **Fee Schedule (18 U.S.C. § 2706)**

Pottawatomie does not charge for responses to legal process served by a government entity involving child exploitation. Pottawatomie reserves the right to seek reimbursement for processing and responding to all other legal process as permitted by law.

Requesting parties will be provided with an invoice at the time of disclosure. Additional charges may apply for (i) requests that are voluminous in nature (ii) requests for information that are not retrievable in the ordinary

course of business (iii) court orders requiring the installation of pen register/tap and trace devices, and (iv) court orders requiring interception of communications.

Civil cases totaling over \$500 require at least half of the invoice total to be paid before any information is released.

### **Response Time**

We make every attempt to respond to requests by the date provided on the request. Should we not be able to provide our response by the date listed on the request we will contact the requestor and provide an update. If a request does not contain a deadline to respond, the response will generally be provided within 10 business days. Exigent responses are attempted to be made in real time. If you are requesting information in an exigent circumstance please call 405-997-5201.

To assist in timely response, please do not request a status update for at least 10 business days from the date that you submitted your request. You may email status requests or other questions to [regulatory@mbo.net](mailto:regulatory@mbo.net), or call 918-865-7855.

### **Pottawatomie's Privacy Policy and Law Enforcement Disclosures**

For more information about Pottawatomie's Privacy Policy, please visit <http://www.potelco.com/wp-content/uploads/2016/11/Privacy-Policy-PTC-web.pdf>, which provides details on how Pottawatomie protects its customers' Personally Identifiable Information ("PII") from inappropriate use.

### **Information Required on All Request**

Prior to the disclosure of any information, Pottawatomie is required to follow a proper and valid legal process. This process must be signed, dated, and addressed to a proper legal entity. All acceptable entities will be listed on the Oklahoma Secretary of State's website. The request must also include contact information and the electronic method for the return of records produced (secure email is preferred; however, fax is also acceptable).

If you are serving a court order or a warrant which is a follow-up to a prior request, you must include a copy of the original request in order for us to expedite the process.

In all instances, please include as detailed a description as possible of the information being requested. For example: subscriber name, address, phone number, account number, email accounts, outgoing call logs, time frames, time zones etc.

### **Account Identification**

When seeking customer information, please provide as much of the following information as possible.

#### **Telephone Request**

- Target telephone number
- The date and time of incident

#### **IP Request**

- Targeted IP address
- A specific date, time, and time zone

#### **Misc. Request**

- Individual's / Business name and/or

- Account number and/or
- Complete address (e.g. street address, Apt. #, city state & zip code) and/or
- Email address

*Note that Pottawatomie does not retain information indefinitely and that the Electronic Communications Privacy Act, 18 U.S.C. 2701 et seq. ("ECPA"), prohibits an electronic communications service provider, such as Pottawatomie from producing electronic communications content without a search warrant or pursuant to an emergency disclosure request.*

### **Testimony**

Pottawatomie encourages the use of affidavits to avoid personal court appearances and cost wherever possible. If a special affidavit is required, please attach it to your request.

### **Call Detail Records and Content Records**

Pottawatomie will provide call detail records and content records in accordance with our retention policy.

### **Records Preservation Request**

Please forward all records preservation requests to [regulatory@mbo.net](mailto:regulatory@mbo.net) or call our legal department for assistance at 918-865-8518