



BREEZELINE LAW ENFORCEMENT HANDBOOK

INTRODUCTION

Breezeline will assist law enforcement agencies in their investigations while protecting subscriber privacy as required by law and applicable privacy policies. Breezeline conforms to all applicable law when releasing subscriber information, including: 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); and the Telecommunications Act of 1996 (particularly, 47 U.S.C. § 222 pertaining to customer proprietary network information or CPNI). The most current versions of these statutes are available from the US Government website: <https://www.govinfo.gov/help/uscode>. Breezeline endeavors to provide timely and accurate responses to all conforming law enforcement and legal requests.

This handbook is provided for informational purposes only. Breezeline expressly reserves the right to add, change, or delete any information contained in this handbook at any time and without notice. Furthermore, Breezeline reserves the right to respond or object to, or seek clarification of, any legal requests and treat legal requests for subscriber information in any manner consistent with applicable law.

CONTACT INFORMATION

Breezeline accepts service of subpoenas, warrants and court orders either directly or through its third-party processing party, Subsentio, at:

To Breezeline:

Email: Subpoenas@breezeline.com
Fax Number: (617) 786-8803 (available 24/7)

Physical Address: 3 Batterymarch Park
Suite 200
Quincy, MA 02169
Attn: Legal Department

To Subsentio:

Email: rp@subsentio.com

Business Hours: 8:30 a.m. - 5:00 p.m. Eastern Time

After Business Hours - EMERGENCY ONLY Telephone Number: (814) 534-8150

Physical service may be made on the agent for service of process for Breezeline, available from the secretary of state wherever we do business.

TYPES OF REQUESTS

Generally, the following information, when available to Breezeline, can be supplied in response to the types of requests listed below. Each request is evaluated and reviewed on a case-by-case basis in light of any special procedural or legal requirements and applicable laws. The following examples are for illustration only.

Grand Jury, Trial, or Statutorily Authorized Administrative Subpoena

Law enforcement agencies are eligible to receive subscriber identification without notice to the subscriber:

- Subscriber's name;
- Subscriber's address;
- Length of service including start date;

- Subscriber's telephone number, instrument number or other subscriber number or identity, including a temporarily assigned network address;
- Subscriber's email account names;
- Means and source of payment for such service (including any credit card or bank account number); and
- In certain instances, email communications older than 180 days with notice.

Judicial Summons

Law enforcement agencies are eligible to receive subscriber identification including:

- Subscriber name;
- Subscriber address;
- Length of service including start date;
- Subscriber's telephone number, instrument number or other subscriber number or identity, including a temporarily assigned network address;
- Subscriber's email account name; and
- Means and source of payment for such service (including any credit card or bank account number).

Court Order

Law enforcement agencies can receive subscriber identification including:

- Subscriber name;
- Subscriber address;
- Length of service including start date;
- Subscriber's telephone number, instrument number or other subscriber name or identity, including a temporarily assigned network address;
- Subscriber's email account names;
- Means and source of payment for such service (including any credit card or bank account number); and
- The content of certain of the subscriber's email communications can be provided if stated within the order and with notice.

Search Warrant

Law enforcement agencies are eligible to obtain subscriber identification including:

- Subscriber's name;
- Subscriber's address;
- Length of service including start date;
- Subscriber's telephone number, instrument number or other subscriber number or identity, including a temporarily assigned network address;
- Subscriber's email account names;
- Means and source of payment for such service (including any credit card or bank account number); and
- The content of certain of the subscriber's email communication can be provided if stated within the order.

Business Customers

In rare instances, due to our Agreement with our Business Subscribers, we are required to notify the subscriber before releasing any information. We will advise you of such before reaching out to the Customer obtaining your consent to do so or allowing you to withdraw the subpoena, warrant or court order.

Important Note on Email Communications:

In most instances, email communications in storage for 180 days or less may only be produced in response to a state or federal warrant and in such situations may be done so without notice to the subscriber. For email communications in storage for over 180 days, a warrant may also be used, and court orders and valid statutorily authorized administrative subpoenas may be used, but use of these two alternative methods generally requires notice to the subscriber. Note, however, that Breezeline generally does not store email communications for this period of time: See RETENTION POLICIES below.

Preservation Request/ Backup Preservation Request

Title 18 U.S.C §§ 2703 (f) and 2704 provide a mechanism for law enforcement agencies to require Breezeline to preserve subscriber data until an appropriate legal order is obtained. No information can be released until Breezeline receives a formal and valid legal request. The information will be retained for 90 days upon which, if no valid legal request is made, or no authorized 90 days extension is sought, the information will be permanently purged.

Pen Register/ Trap and Trace De vice

Title 18 U.S.C. § 3123 provides a mechanism for authorizing and approving the installation and use of a pen register or a trap and trace device pursuant to court order. Breezeline uses a third-party vendor, Subsentio, to assist with the processing of all such orders. All orders must be coordinated prior to submission to Breezeline.

Foreign Intelligent Surveillance Act of 1978

Title 50 U.S.C §§ 1801- 1862 and new §§ 105A and B. Submission to Breezeline should be coordinated with the FBI field office in Boston, MA. A Special Agent will be tasked to hand deliver the request to Breezeline. Such requests should be sent to the attention of the General Counsel. Upon receipt, Breezeline will handle all documents with the appropriate care and security as required by law.

National Security Letter

All National Security Letters should be coordinated with the FBI field office in Boston, MA. A Special Agent will be tasked to hand deliver the request to Breezeline. Such requests should be sent to the attention of the General Counsel Upon receipt, Breezeline will handle all documents with the appropriate care and security as required by law. Attention must be paid to the various court proceedings in which the legal status of such request is at issue.

Child Abuse

Breezeline will make information available to the National Center for Missing and Exploited Children as required by 42 U.S.C § 13032.

***57 - Customer Originated Trace**

Customer Originated Trace - Provides the recipient of an obscene, harassing, or threatening call the ability to request an auto-trace of the last call received.

Emergency Disclosure

18 U.S.C § 2702 (b)(8) and § 2702 (c)(4) contain provisions for the expedited release of subscriber information in situations where there is an immediate danger of death or an immediate risk of serious physical injury. Law enforcement agencies must adequately complete the appropriate Breezeline Emergency Situation Disclosure Request form (forms attached) and they will receive accelerated subscriber identification.

INTERNET COMPLIANCE

Subscriber Account Information and Related Records

Breezeline has the ability to identify Breezeline High Speed Internet Subscriber accounts based on the following criteria:

- Internet Protocol (IP) addresses including date and time of incident;
- Subscriber name and address;
- Email account identifier; and
- Subscriber account number.

Typically, upon receipt of a properly and timely (within 6 months) submitted valid and statutorily authorized legal request, Breezeline can supply the subscriber's name, address, telephone number, email accounts, Breezeline account number and current account status.

For identification based upon an IP address:

Before sending a request, please confirm that the IP address is assigned to Breezeline. This can be accomplished by visiting <https://whois.arin.net/ui/> or <https://www.ip2location.com/>.

For identification based upon an email address:

All email address accounts obtained through Breezeline High Speed Internet will end in @breezeline.net (e.g. JohnDoe@breezeline.net). If the email account ends in any other domain (i.e. @hotmail.com or @yahoo.com), Breezeline will not have information responsive to the request.

Trash	(Read Mail - Indefinitely, storage limitations apply) (Unread Mail - Indefinitely, storage limitations apply)
Sent Mail	(Read Mail - Indefinitely, storage limitations apply) (Unread Mail - Indefinitely, storage limitations apply)
Screened Mail	(Read Mail - Indefinitely, storage limitations apply) (Unread Mail - Indefinitely, storage limitations apply)
Personal Folders	(Read Mail - Indefinitely, storage limitations apply) (Unread Mail - Indefinitely, storage limitations apply)
Pop3 Mail	(Deleted immediately from web mail servers)

Note: Breezeline High Speed Internet customers can set their own preferences for certain web mail deletion or retention; thus, individual's customer accounts may have settings that differ from those above.

VOICE COMPLIANCE

Subscriber Account Identification and Related Records

For identification based upon telephone number(s):

Breezeline can only provide account information on telephone numbers with which we currently or have historically provided service.

For identification based upon a person's name:

Breezeline cannot identify a subscriber based upon a name alone. It is necessary to include the street address where it is believed the individual receives service. It may be possible in some cases to identify a subscriber based on name and a city and state (with no street address).

Breezeline will only respond to a request for identification based on the name exactly as it is written on the request. For example, if the request asks for information relating to James Doe in Springfield and Breezeline's records reveal a J. Doe and/or a Jim Doe in Springfield, Breezeline will not have information responsive to the request or may require additional legal process to determine if it has responsive information. If initials or nicknames are used, you should request those other versions of the name in your legal request.

For identification base upon a street address:

It is necessary to provide an entire street address. In the request please supply the house or apartment number, the street name, the city and the zip code of the location you have targeted.

Over a length of time it is possible that Breezeline has supplied service to multiple customers at the same address. Therefore, it is necessary to narrow a search for customer identify to a specific period of time.

For identification based upon a Breezeline account number:

Please provide a complete account number. Legal request with incomplete account numbers will not result in successful identifications.

Voice Service Retention Policies

Call Detail Records

Breezeline maintains 1 year of historical call detail records (records of local and long distance connections) for our telephone service. This includes local, local toll, and long distance records.

Account Records

Account records are generally stored for approximately 1 year after the termination of an account. If the account has an outstanding balance due, records may be retained for a longer period of time.

***57 - Customer Originated Trace**

Customer Originated Trace - Provides the recipient of an obscene, harassing, or threatening call the ability to request an auto-trace of the last call received. When the customer has registered a Complaint with law enforcement and completed a Letter of Authorization (Form Attached) Breezeline will release *57 information to law enforcement.

CABLE TELEVISION COMPLIANCE

Subscriber Account Identification and Related Records

For subscribers to our cable television service, the Cable Act requires Breezeline as a cable operator to disclose personally identifiable information to a governmental entity solely in response to a court order (and not, for example, a subpoena) or with the subscriber's express written consent. The Cable Act requires that the cable subscriber be afforded the opportunity to appear and contest in a court proceeding relevant to the court order any claims made in support of the court order. At the proceeding, the Cable Act requires the governmental entity to offer clear and convincing evidence that the subject of the information is reasonable suspected of engaging in criminal activity and that the information sought would be material evidence in the case. See 47 U.S.C § 551(h).

Breezeline LEA Emergency Request Authorization Form

(To be completed by Law Enforcement Only)

Please call (814) 534-8150 before faxing a signed copy of the Emergency Request Form to (617) 786-8803

Identity of Requesting Party

LEA _____
Representative _____
Address _____ Phone _____ Cell _____
Fax _____ Email _____
Nature and Extent of Emergency _____

Customer Information Sought _____

Customer Identification (i.e. name , address, e mail, IP address, telephone number) _____

Interception of Communication Sought (if applicable) _____

Purpose of Interception _____
Type of Interception _____
Duration of Interception (Request over 48 hours cannot be honored without a court order)

Has court order been requested? _____ Name of Court _____
If not requested, when will it be requested? _____

Indemnification

The requesting party acknowledged that this request is made solely as a result of an imminent threat to life or of serious bodily harm and that the information shall not be obtained shared or disseminated for any unlawful or harmful purpose. Requesting party affirms the above information, represents he has the authority to execute this form and agrees to indemnify and hold Breezeline, its subsidiaries, employees, and agents harmless for any claim, demand, loss or injury, including attorneys' fees brought against Breezeline by a third party, including the subscriber, as a result of Breezeline's compliance with this request. The requesting party will forward a subpoena, court order or warrant to Breezeline at (617) 786-8803 or via email at Subpoenas@breezeline.com within 2 days of submitting an emergency request.

Law Enforcement Signature

Date

Please call (814) 534-8150 before faxing a signed copy of the Emergency Request Form to (617) 786-8803. Please also send a copy to Subpoenas@breezeline.com.

LETTER OF AUTHORIZATION FOR CALL TRACE

(To be completed by Breezeline customer)

To Whom It May Concern:

By this letter I authorize Breezeline to establish a call trap on telephone number (____) - ____ for the purpose of determining the identity of the person or persons responsible for making nuisance, harassing, or threatening telephone calls to the above number.

I agree to prosecute the person or persons apprehended as a result of information obtained through the trap and trace procedures performed on my behalf.

I have filed a complaint with my local law enforcement agency and the following information is provided:

- a. Name of law enforcement agency: _____
- b. Address of law enforcement agency: _____
- c. Telephone number: _____
- d. Fax number: _____
- e. Case/ Complaint Number: _____
- f. Investigating Officer: _____
- g. Investigating Officer Email: _____

I understand that any information obtained as a result of the trap and trace will be provided only to the law enforcement agency named above.

Customer Signature: _____
Name: _____
Agency: _____
Date: _____