

CALEA Policy and Law Enforcement Request Method of Procedure

Introduction:

Communications Assistance for Law Enforcement Act (“CALEA”) is intended to preserve the ability of law enforcement agencies to conduct electronic surveillance while protecting the privacy of information outside the scope of the investigation. We will also require compliance with our Customer Protected Network Information (“CPNI”) Policy when responding to a request made under this CALEA Policy. The Knoxville Utilities Board (“KUB”) is a VoIP service provider and internet service provider. As the entity facing the end user subscriber, KUB is the entity that can best verify the identity of the end user subscriber and furthermore is the best source for records relating to both the telephone number in use and the end user subscriber.

Call Detail Records (“CDRs”) and IP Address Information:

Typically, CDRs or IP Address information must be pursued directly from the entity facing the end user/subscriber. To the extent we have CDRs that are readily accessible for approximately 45 days. Compliance with our CPNI Policy will be required when responding to any request for CDRs or IP Address information. If, after your review of our CPNI guidelines, you believe KUB is the appropriate source for providing CDRs, please contact our CPNI Officer.

Civil Subpoenas:

Subpoenas issued in matters of civil litigation in which KUB is a non-party must be served in accordance with our Civil Subpoena Guidelines, which also provides for methods of service, applicable fees, and requirement for a protective order when seeking CDRs.

Civil Subpoena Guidelines:

Civil litigants will generally want to issue an initial request to KUB for the purpose of identifying our customer and thereafter, pursue CDRs through a legal subpoena directly to that customer. KUB will initially and conditionally provide an estimate of the KUB CDR Processing Fee applicable to all requests for CDRs.

Protective Order:

Where KUB is required to provide/produce CDRs, such production will only occur pursuant to a protective order issued by the court having jurisdiction in the case. Such orders will be limited in both access and use, specifically for purposes of litigation and appeal.

Trace Back Exception:

Call Trace Back is the exceptional, isolated circumstance in which KUB CDRs may contain some unique information. *Call Trace Back* is the telecom industry's process of recreating the path of a telephone call in reverse (i.e., going from the called party's service provider to one or more intermediate providers, and ultimately to the calling party's service provider). If the calling name/number is spoofed/blocked that manipulation occurs prior to the network and therefore our records reflect only the spoofed/blocked details, the network-level details of a CDR will remain unaffected. By recreating the call path, the originating network can be determined, and thereby, the actual calling number and end user subscriber's identity. Specific details will be required, by way of example "the call from NPA-NXX-1234 to NPA-NXX-5678 on MM/DD/YYYY at 12:23 pm ET for 45 seconds". Allow at least five (5) business days for a *Call Trace Back request for a call made within the prior forty-five (45) days*. *Call Trace Back* requests for calls made more than forty-five (45) days prior will typically require archive retrieval and must allow at least fifteen (15) business days for processing and an ICB processing fee will apply. Fees may also apply for voluminous requests. KUB shall cooperate with *Call Trace Back* requests as may be applicable and in compliance with our STIR/SHAKEN and Robocall Mitigation Policy.

Submitting a Formal Lawful Request for Information:

All requests must include, at a minimum, the following information:

1. Full contact information with Agency name, physical address, E-mail address and direct contact telephone number.
2. Target telephone number(s) in the XXX-XXX-XXXX format or IP Address(es) in the XXX.XXX.XXX.XXX format.

- If the IP is within the range of 162.81.64.0/18, the request must include a port number.
3. Specific dates (To/From in MM/DD/YYYY format) for which information is being requested.
 4. Brief description of the matter.

E-mail the request to lawenforcementrequests@kub.org with a copy of your subpoena, court order, search warrant, or other formal legal documentation. If you have multiple requests, please submit only one legal document per E-mail to ensure individual tickets are created in our system. For requests involving ten (10) or more numbers please attach an Excel, or text file listing target telephone numbers in the XXX-XXX-XXXX format, one (1) telephone number per line.

Official Address for Service of Process:

Knoxville Utilities Board
445 South Gay Street
Knoxville, TN 37902

Faxed legal demands will NOT be processed. Submit Legal Demands via E-mail to lawenforcementrequests@kub.org. We do NOT consent to fax transmission.

Normal Hours of Availability:

Our normal business hours are Monday through Friday, 8:00 am to 5:00 pm Eastern Time.

Requests Outside Normal Business Hours:

If you have a declared urgent circumstance outside of our normal business hours contact KUB Network Operations Center at **865-558-2400** for assistance. Written requests will be required, no action will be taken based on a verbal request.

Emergency Government / Law Enforcement Data Requests:

KUB may, in limited circumstances, fulfill emergency requests for customer data when exigent circumstances exist that meet the included guidelines. This allows law enforcement to access needed data prior to the delivery of a traditional subpoena or court order. These circumstances are limited to situations where there is an immediate and significant risk to:

- **The life/safety of individuals:** This includes situations such as kidnapping, hostage situations, or imminent threats of violence.
- **The security of a State:** This includes situations such as terrorism, espionage, or imminent threats to national security.
- **The security of critical infrastructure/installation(s):** This includes situations such as threats to public utilities, transportation systems, or other essential services.

Emergency Requests Procedure:

1. **Law Enforcement Officer Action:** To initiate an emergency request, the law enforcement officer must complete and submit an **EMERGENCY Government / Law Enforcement Data Request (“EDR”)** form. Contact KUB Network Operations Center at **865-558-2400** for assistance.
2. **KUB Review:** KUB will review the EDR form to assess the validity and urgency of the request.
3. **Data Provision:** If KUB determines that the request meets the criteria for an emergency, the necessary data will be provided to the requesting law enforcement agency as quickly as possible.
4. **Subsequent Legal Process:** The law enforcement officer must obtain and submit a traditional subpoena or court order within **48 hours** of the information provided or as soon as feasibly possible thereafter with prior agreement from KUB Fiber CALEA administration.

Important Notes:

- This emergency request process is intended for truly exigent circumstances and should be used sparingly.

- KUB reserves the right to deny any emergency request that does not meet the established criteria.
- KUB will maintain records of all emergency requests received and fulfilled.

Intercept Arrangements:

KUB is generally the optimal point for intercept arrangements as we carry all traffic relating to a telephone number across our network, but it may be necessary to engage our 3rd Party voice provider. If you believe that we are the appropriate location for your register/intercept, please first contact KUB Network Operations Center at **865-558-2400** for assistance. Upon receipt of an order or warrant directing KUB to establish an intercept arrangement and following verification of the Submitting Agency's understanding of the limitations as described herein, KUB will notify applicable third-party vendors, who will then contact the Submitting Agency directly to arrange for implementation, where applicable. The applicable third-party vendor is NOT authorized to accept service of a Legal Demand on behalf of KUB.

Note: KUB is a VoIP Service Provider and not a wireless carrier therefore there is no pingable, GPS, or cell site location information native to our Service Provider customers numbers and therefore not available from us.

KUB reserves the right to modify this Policy at any time. We will notify you of any material changes via electronic, or other means permitted by law, including by posting it on our company website. Concerns regarding this Policy should be directed to KUB at lawenforcementrequests@kub.org.