

Cox Communications, Inc.

Law Enforcement Guide to Submitting
CALEA Requests for Subscriber
Information

COX

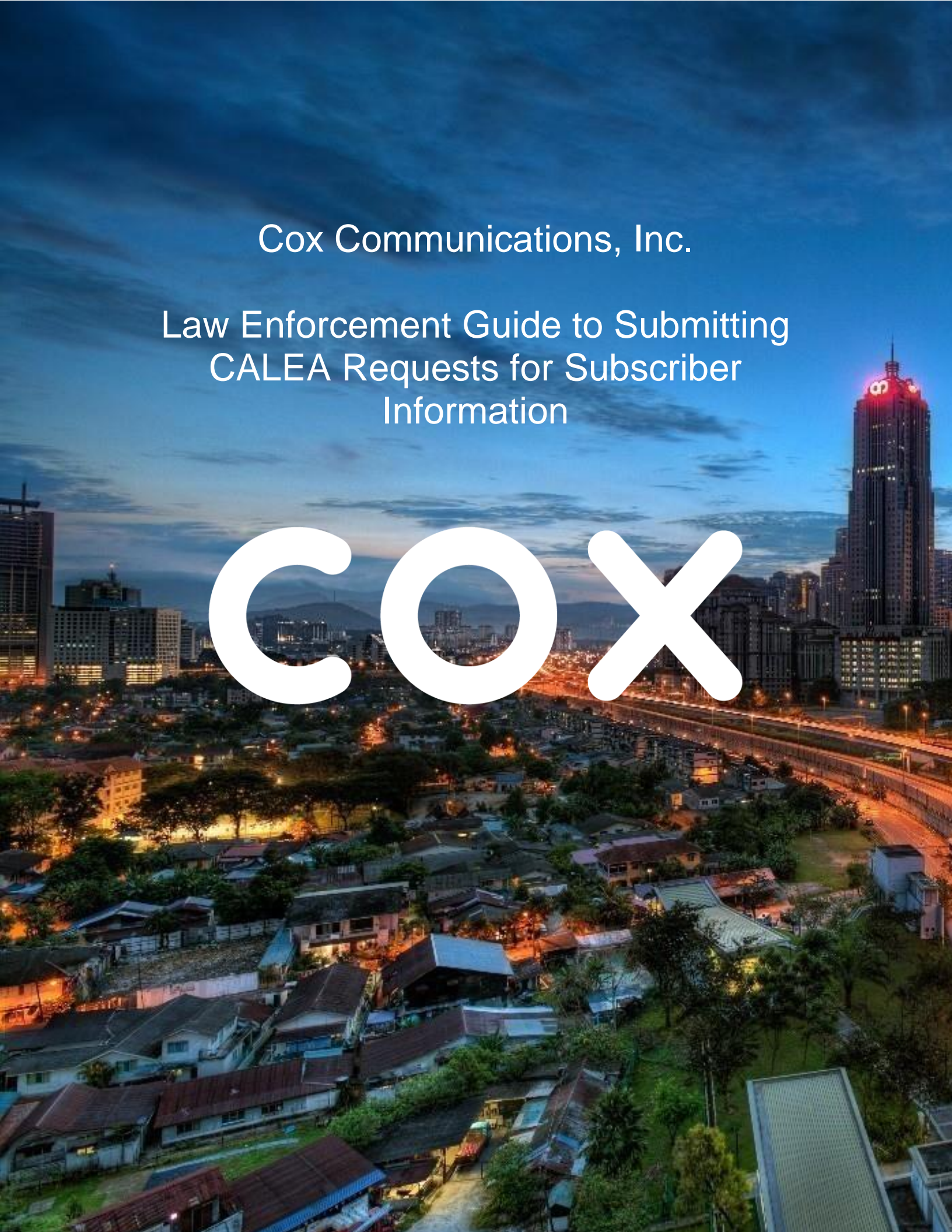




Table of contents

Introduction1
Contact information.....2
Subscriber account identification and related records.....4
Retention policies.....6
Cost reimbursement6
Checklist.....8
Frequently asked questions10
Glossary13
Appendices14
 Appendix A – Emergency Information Request Fax14
 Appendix B – Emergency ELSUR Request Fax18
 Appendix C – Law Enforcement Alarm Activity Request Form.....22
 Appendix D – Customer Authorization for Alarm Activity Disclosure Form.....24

Introduction

Cox Communications, Inc. (Cox) is an American privately owned subsidiary of Cox Enterprise, providing advanced digital video, internet, telephone, and home security and automation services over its own nationwide internet protocol (IP) network. As the third-largest cable television provider in the United States, Cox serves more than 6.2 million customers, including 2.9 million digital cable subscribers, 3.5 million internet subscribers and almost 3.2 million digital telephone subscribers.

For more information about Cox and its products and services, please visit <http://www.cox.com>.

Cox strives to assist the law enforcement community while protecting the rights and privacy of its customers. Cox is required to comply with the following federal statutes when providing subscriber data:

- 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), hereinafter referred to as CALEA
- The Telecommunications Act of 1996 (particularly, 47 U.S.C. § 222 pertaining to customer proprietary network information)

Additionally, Cox complies with all applicable state and federal laws.

Please note that this guide is provided to the law enforcement community for informational purposes only. Cox reserves the right to modify the information in this guide without notice. Additionally, Cox reserves the right to seek clarification, respond or object to any request received.

Note: Beginning on July 1, 2021, it will become increasingly necessary to have a port number for dynamic IPV4 address requests due to IPV4 exhaustion and sharing. If the port is unknown, we will make our best effort to fulfill the subpoena with the information provided.

See more in the [FAQ](#) section.

Contact information

The Subpoena Response Team (SRT) within Cox's Legal department is responsible for receiving subpoenas, warrants or court orders from the relevant law enforcement agency (LEA). The SRT will identify the relevant information requested within scope and send the information directly back to the requesting LEA or Subsentio, Cox's trusted third-party provider.

| Legal – Subpoena Response Team | |
|--------------------------------|--|
| Mailing address | Records Custodian Cox Communications, Inc. 6205-B Peachtree Dunwoody Road Atlanta, GA 30328 |
| Hours of operation | 8:30 a.m.–5:00 p.m. Eastern Time |
| Telephone | +1 404 269 0100 Prompts: 1 – Where to serve subpoena 2 – Fees schedule 3 – Response times 4 – Retention periods 5 – Status updates 6 – Emergency contacts 7 – Leave a message Voice messages will be returned within one business day |
| Fax | +1 404 269 1898 |
| Email | subpoenaresponse@cox.com |

Response time

Requests for information are generally handled in the order received, with the exception of expedited requests. Information responsive to the request is generally provided within **10** business days. Expedited responses for information other than call records will generally be provided within **3** business days. Extensive toll and call detail record requests may require **30** days or more to complete.

Note: If no time zone is specified in the request, Greenwich Mean Time (GMT) will be applied.



| Emergency surveillance requests | |
|---|---|
| During business hours (8:30 a.m.–5:00 p.m. Eastern Time) | After business hours (Emergency only) |
| <ul style="list-style-type: none"> – To: Cox Subpoena Response – Fax: +1 404 269 1898 | <ul style="list-style-type: none"> – To: Cox Network Operations Center – Phone: +1 855 275 6862, command prompt 5 – Fax: +1 404 269 0720 |

| Emergency information requests | |
|---|---|
| During business hours (8:30 a.m.–5:00 p.m. Eastern Time) | After business hours (Emergency only) |
| <ul style="list-style-type: none"> – To: Cox Subpoena Response – Fax: +1 404 269 1898 | <ul style="list-style-type: none"> – To: Cox Network Operations Center – Phone: +1 855 275 6862 |

| Foreign Intelligence Surveillance Act (FISA) | |
|--|--|
| During business hours (8:30 a.m.–5:00 p.m. Eastern Time) | After business hours (Emergency only) |
| <ul style="list-style-type: none"> – To: Cox Enterprises Corporate Security – Fax: +1 678 645 4603 | <ul style="list-style-type: none"> – To: Cox Enterprises Corporate Security – Phone: +1 678 645 1679 |

Physical service

Cox does not accept service at any of our local offices. Physical service may be made on the agent for service of process for Cox, available from the Secretary of State wherever we do business or at the following location:

Records Custodian
 Cox Communications, Inc.
 6205-B Peachtree Dunwoody Road
 Atlanta, GA 30328

Subscriber account identification and related records

To confirm that requests are fulfilled in a timely manner, please see below.

For security reasons, all questions must be submitted in writing along with a copy of the subpoena and response. Except as provided in Title 18 U.S.C. § 2703, Cox may not provide content of communications without court order or warrant. The following lists different types of requests that can be submitted to Cox:

Court Order or Search Warrant (both signed by a Judge)
Pen Register/Trap and Trace Device
Wiretaps and Interception of Communications
Preservation Request/Backup Preservation Request
Special Note (for cable television only)
Important Note on Email Communications
Child Exploitation
Emergency Disclosure
Foreign Intelligence Surveillance Act of 1978
Grand Jury, Trial or Statutorily Authorized Administrative Subpoena
Judicial Summons
National Security Letters

For identification based upon an internet protocol (IP) address

LEA can determine that the IP address is assigned to Cox by visiting either of the following sites:

- <http://whois.arin.net/ui>
- <http://www.ip2location.com/free.asp>

Requests based on IP addresses must include the date and time. A port number may be required if requesting for a dynamic IPV4 address. See more in the [FAQ](#) section. If no time zone is specified, GMT will be applied. Cox's residential subscribers are typically assigned a dynamic IP address under Dynamic Host Configuration Protocol (DHCP). As a result, subscribers will likely not have a static IP address, and additional information, including specific date and time of the incident when an IP address is involved, may be required.



For identification based upon email address

Cox assigns a domain name *cox.net* (e.g., Firstname.Lastname@cox.net) to all residential email address accounts. If the residential customer chooses to use another entity's email account (e.g., @gmail.com or @hotmail.com), Cox will not have any access to the information in that email account in response to a legal request.

For identification based upon a Cox account number

A complete Cox account number is needed for identification.

International law enforcement requests

Cox will comply with all applicable laws, treaties and conventions regarding provision of customer information to non-US law enforcement agencies. All requests must be in English and follow the appropriate protocols as stated in this handbook.

Retention policies

The following retention policies generally apply to frequently sought records.

| Retention item | Retention period |
|-----------------------------|---|
| IP Assignment Logs | Up to 6 months |
| Subscriber Information | 3 years |
| Call Records | 18 months (36 in certain states) |
| Home Security Activity Logs | 3 months – Alarm activity information <i>Note: this information is available for 45 days via customer's online subscriber portal</i> |
| | 6 months – Videos and images |
| | 13 months – Alarm event information |
| | 24 months – Audio from central monitoring system (CMS) |
| LEA Preservation Requests | 90 days (additional 90 days upon further request) |

Cost reimbursement

According to Title 18 U.S.C. § 2510, Cox is entitled to seek reimbursement for processing and responding to all requests as permitted by law. Acceptance of service by facsimile or email is strictly conditioned upon payment of charges. Cox also reserves the right to require payment in advance, to withhold delivery until payment is received and to seek enforcement of charges, including the cost of collection. You will be notified if hourly charges apply and can request an estimate. The cost for each request is stated below.

| Legal process request | Reimbursement cost |
|---|--------------------|
| Per account for basic information | \$50.00 |
| Per account for alarm activity information | \$40.00 |
| Per account for alarm activity information (Cox customers only) | \$25.00 |

| Legal process request | Reimbursement cost |
|---|---|
| Expedited handling fee | \$100.00 |
| Telephone records | |
| Telephone <i>call detail</i> records (other than toll) | \$50.00/month |
| Telephone toll record and Cox telephone subscriber records of 10 or less ¹ | No charge if documented when requested |
| Telephone call detail records (civil cases, for customers) | \$25.00/first 3 months \$25.00 each additional |
| In excess of 10 subscribers | \$5.00/account |
| Other services | |
| Photocopies and facsimiles exceeding 10 pages | \$0.25/page |
| Data on CD-ROM | \$25.00 |
| Express delivery | \$25.00 |
| Requests requiring greater than 0.5 hour (\$40.00 minimum) | \$75.00/hour/staff |
| Preservation requests | \$80.00 |
| Non-expedited child pornography or endangerment investigations and investigations of harassing or abusive calls | No charge if documented when requested |
| Pen Register/Trap and Trace | |
| Pen Register/Trap and Trace – Initial Request | \$2,125 |
| Pen Register/Trap and Trace – Renewal | \$2,125 |
| Wiretap/Intercept | |
| Wiretap/Intercept – Initial Request | \$3,125 |
| Wiretap/Intercept – Renewal | \$3,125 |
| Copyright infringement cases | |
| 1–10 IP addresses | \$60.00/IP address |
| 11–20 IP addresses | \$55.00/IP address |
| 21 or up IP addresses | \$50.00/IP address |

¹ Telephone subscriber requests from law enforcement in excess of 10 accounts or otherwise voluminous are subject to charge under Title 18 U.S.C. § 2706. Telephone account information in civil cases is charged at \$40.00 per account.

Payment method

Cox accept payments by check, exchange-traded fund (ETF) and credit card. When making a payment, please include the invoice reference number with that payment.


- For check, please make the check payable to:
Cox Communications, Inc.
Subpoena Compliance Payments
6205-B Peachtree Dunwoody Road
Atlanta, GA 30328
- For ETF, please contact us for instructions
- For credit card, we accept American Express, Visa and MasterCard

Checklist

To submit a valid legal request to Cox, please use the following checklist as a quick reference guide:

While Cox is obligated to respond accordingly to legal requests for subscriber information, we cannot release everything in our customer database with a request as broad as “any and all information.” When we receive such requests, we will limit our response to the information required to fulfill the specific court order. Please be as specific as possible with your requests, and if we have the information and can provide the information requested, it will be sent to you accordingly.

1. Verify that the phone number, IP address or email address is registered to Cox. Detailed instructions are provided in the “Subscriber account identification and related records” section in this handbook.
 - For phone numbers either www.npac.com or www.fonefinder.net can be used
 - Please note, Cox cannot determine if a telephone number is for a fax machine or a landline
 - For IP address, either <http://whois.arin.net/ui> or <http://www.ip2location.com/free.asp> can be used
 - For email address, Cox residential email addresses end in [@cox.net](mailto:)
2. Include detailed identification information that will allow Cox to adequately respond to your request.
 - For IP address, include specific date and time of the incident when an IP address is involved
 - A port number may be required if requesting for a dynamic IPV4 address. See more in the [FAQ](#) section.

- 
- For person's name, include the exact name and potential abbreviations/acronyms
 - For street address, include entire street address and a specific period of time
3. Unless otherwise specified, all requests returned will be based on Greenwich Mean Time (GMT).
 4. Cox does not seek reimbursement for the following matters if documented when requested:
 - Telephone toll records
 - Telephone subscriber records of 10 or less
 - **Non-expedited** child pornography, endangerment, exploitation investigations
 - Investigations of harassing/abusive calls
 5. John Doe or Jane Doe subpoenas/court orders require extra processing time of at least 30 days. The subpoena will be placed in the queue for processing. Once the subpoena/court order is processed, a notification letter will have to be sent to the customer. If no objections are filed by the customer after 14–30 days (some orders require 30 days), then Cox will send the subscriber information requested.
 6. The addresses provided for internet addresses are the service address, not the billing address.



Frequently asked questions

1. Telephone/voice

Can you verify over the phone that a number is assigned to Cox Communications, Inc.?

No, we do not verify that information over the phone. You can identify providers at <http://www.npac.com> or www.fonefinder.net.

What do the terms Originating number and Terminating number mean on the call records I received?

Originating number means the number where the call originated (came from).

Terminating number is the number where the call terminated (ended).

What does FORM mean on the screenshot of the subscriber information?

This means that the subscriber is a former customer and no longer active at that address. The date next to the FORM is the date the account was disconnected.

What does ACTV mean?

This means that the account is currently active. The date next to the ACTV is the date of activation of the account.

Why can't I have the incoming call records for my own telephone number?

Incoming call records cannot be released due to a Federal Communications Commission regulation that prohibits telecommunications providers from releasing any calls that have been marked "blocked" or "private." The call records we receive from the switch do not filter out that information; therefore, we have no way of knowing which calls may have been marked "private" or "blocked." We must receive a subpoena, search warrant, court order or request from law enforcement on their letterhead.

How do I get a subpoena?

We cannot provide any legal advice; you should seek the counsel of an attorney or go to the courthouse for further assistance.

How do I get the subscriber information from the call records provided?

You have to identify the telecommunications providers for the numbers desired and then send a subpoena to the providers for the subscriber information.

Can you determine whether a telephone number is for a fax machine or a landline?

No.



2. Internet

Why do we need a date and time for IP addresses?

Dynamic IP addresses are sporadically assigned to customers. In order to provide the correct subscriber, a date and time (with time zone) is needed.

Why may I need a port number for IPV4 addresses?

Due to the exhaustion of dynamic IPV4 addresses, they will be shared across multiple subscribers. The port number will be needed to narrow down to a specific subscriber for shared dynamic IPV4 addresses. This will not affect static/fiber or IPV6 addresses.

What is IPV4 exhaustion?

IPv4 exhaustion is the term used to describe when there will be no more unallocated IPv4 addresses available.

What if I have an IP address subpoena with no date or time?

We will provide account information for all customers that had the IP address for the entire retention period (up to 6 months). There will be a fee of \$40.00 per account for which we provide information. Be advised that some IP addresses can shift subscribers on a daily basis.

What internet-related information can we provide?

Email addresses, email content (presently in account), email headers, POP3 logs, equipment number (cable modem serial number and media access control (MAC) addresses) and IP address logs.

Where can I find out if an IP address belongs to Cox Communications, Inc.?

LEAs can find out the ISP for a particular IP address at the following website: <http://www.arin.net/index.shtml>.

How do I get a subpoena?


We cannot provide any legal advice; you should seek the counsel of an attorney or go to the courthouse for further assistance.

Can I request email content and/or email headers with a Grand Jury Subpoena?

No, unless you ask for email content that is more than 180 days old (usually not available).

What information is not available?

Records of websites visited by subscribers, deleted email from the account, connection logs, originating telephone number logs (our internet service is through cable modem), buddy lists, address book information and other email addresses (if



it is not Cox, we have no information), and email content that is not in the customer's account.

Is the address on the screenshot provided the billing or service address?

The address given is the service address.

3. General

Why did I receive a bill?

Cox Communications, Inc. is entitled to seek reimbursement per 18 U.S.C. §2706. We do not seek reimbursement for the following matters (must be documented when requested):

- Telephone toll records
- Telephone subscriber records of 10 or less
- Non-expedited child pornography, endangerment, exploitation investigations
- Investigations of harassing/abusive calls

I have a civil subpoena/court order requesting the information of a John/Jane Doe. When should I expect the response?

John/Jane Doe subpoenas/court orders require extra processing time of 30 days or more. The subpoena will be put in our queue for processing along with the other subpoenas received, and once the subpoena/court order is processed, a notification letter will have to be sent to the customer. If no objections are filed by the customer after 14–30 days (some orders require 30 days), then we send the subscriber information requested.

I requested “any and all information” and received only the name and address of the subscriber. Why did I not receive more information?

We are obligated to respond accordingly to legal requests for subscriber information; however, we cannot release everything in our customer database with a request as broad as “any and all information.” When we receive such requests, we will respond with only the bare minimum of information. Please be as specific as possible with your request, and if we have the information and can provide the information requested, it will be sent to you accordingly.

Glossary

Terms and abbreviations

| Term | Definition |
|-------------|---|
| ACTV | Active, to indicate the account is active |
| CM MAC | Subscriber's cable modem MAC address |
| CPE MAC | Subscriber's computer (or whatever equipment directly hooked up to the modem, e.g., wireless router) MAC address |
| CMS | Central Monitoring System |
| DHCP | Dynamic Host Configuration Protocol logs |
| FORM | Date account disconnected |
| Orig number | Originating 10-digit telephone number |
| Term number | Terminating 10-digit telephone number |
| Port number | A port is a number used to uniquely identify a transaction over a network by specifying both the host, and the service. |



Appendices

Appendix A – Emergency Information Request Fax



Emergency Information Request Fax

During Business Hours (Eastern Time Zone)

To: Cox Subpoena Response

Fax: (404) 269-1898

After Business Hours (Emergency Only)

To: Cox Network Operations Center

Fax: (855) 275-6862

From: _____

Phone: _____

Other Contact Means: _____

Date: _____

Comments:

How to Reach Cox:

Angela Frazier

angela.frazier@cox.com

Phone: (404) 847-6180

Duane Ritter (National Security/Classified)

duane.ritter@coxinc.com

Phone: (678) 645-0670

Fax: (678) 645-1679

Eric Winter (National Security/Classified)

eric.winter@coxinc.com

Phone: (678) 420-3572 (24/7)

Fax: (678) 645-1679

After Business Hours (Eastern Time) – Emergency Only

(855) 275-686

LEA Emergency Information Request Form

Identity of Requesting Party

LEA _____

Representative _____

Address _____

Phone _____ Cell _____

Fax _____ Email _____

Nature and Extent of Emergency _____

Customer Information Sought _____

Identification of Customer [e.g., name, address, email address, IP address (with date and time)] A port number may be required if requesting for a dynamic IPV4 address. (See more in the [FAQ](#) section.)

Agency Billing Information (if different from above)

Indemnification

The requesting party states, as representative of a governmental entity, that this request relates to an emergency involving danger of death or serious physical injury to a person and requires disclosure without delay and that the information provided shall not be used or shared for any unlawful or harmful purpose. Requesting party represents he or she has the authority to execute this form and agrees to indemnify and hold Cox Communications, its subsidiaries, employees and agents harmless for any claim, demand, loss or injury, including attorneys' fees brought against Cox by a third party, including the subscriber, as a result of Cox's compliance with this request.

Signature

Date

Please fax a signed copy to: (404) 269-1898



After business hours, fax to Eastern Time Zone: (404) 269-0720



Appendix B – Emergency ELSUR Request Fax



Emergency ELSUR Request Fax

During Business Hours (Eastern Time Zone)

To: Cox Subpoena Response

Fax: (404) 269-1898

After Business Hours (Emergency Only)

To: Cox Network Operations Center

Fax: (404) 269-0720

From: _____

Phone: _____

Other Contact Means: _____

Date: _____

Comments:

How to Reach Cox:

Angela Frazier

angela.frazier@cox.com

Phone: (404) 847-6180

Duane Ritter (National Security/Classified)

duane.ritter@coxinc.com

Phone: (678) 645-0670

Fax: (678) 645-1679

Eric Winter (National Security/Classified)

eric.winter@coxinc.com

Phone: (678) 420-3572 (24/7)

Fax: (678) 645-1679

After Business Hours – Emergency Only

(Eastern Time) (855) 275-686

LEA Emergency ELSUR Request Form

Identity of Requesting Party

LEA _____

Representative _____

Address _____

Phone _____ Cell _____

Fax _____ Email _____

Type of Investigation Criminal (see next page) _____ FISA (see next page) _____

Surveillance Type (Check all that apply)

Phone _____ Pen/Trap _____

Wiretap/Title III _____

FISA _____

Cellular _____ Pen/Trap _____

Wiretap/Title III _____

FISA _____

Broadband _____ Non-Content _____

Content _____

Identification of Customer

[e.g., name, address, telephone number, email address, IP address (with date and time), MAC address] [A port number may be required if requesting for a dynamic IPV4 address. See more in the [FAQ](#) section]

Agency Billing Information (if different from above)

Please fax a signed copy to: (404) 269-1898

After business hours, fax to Eastern Time Zone: (404) 269-0720

For Criminal Request:

The undersigned certifies that: (1) he or she is an investigative or law enforcement officer, specially designated by the Attorney General, the Deputy Attorney General, the Associate Attorney General, or by the principal prosecuting attorney of a state or subdivision thereof, acting pursuant to a statute of that state (Agent); (2) an emergency situation exists that involves immediate danger of death or serious physical injury, conspiratorial activities threatening the national security interest, or conspiratorial activities characteristic of organized crime pursuant to 18 USC § 2518(7) or § 3125(a), or, for the installation of a pen register or trap and trace device, an ongoing attack on a protected computer (as defined in § 1030) that constitutes a crime punishable by a term of imprisonment greater than one year pursuant to 18 USC § 3125(a); (3) the emergency requires a wire or electronic communication to be intercepted before an order authorizing such interception can, with due diligence, be obtained; (4) there are grounds upon which an order could be entered to authorize such interception; (5) an application for an order approving the interception will be made within 48 hours after the interception has occurred, or, for the installation of a pen register or trap and trace device, Agent expects an order approving the interception to be issued within 48 hours after the installation has occurred; (6) Cox and/or its agents will be reasonably compensated for provisioning the requested interception pursuant to 18 USC § 2518(4) and/or § 3124(c); and (7) Cox and/or its agents may rely in good faith on this certification for purposes of statutory immunity pursuant to 18 USC § 2510 et. seq.

Signature

Title

Date

For FISA Request:

The undersigned certifies, pursuant to 50 USC § 1805, or, for purposes of installing a pen register or trap and trace device, 50 USC § 1843 (collectively, FISA), that: (1) he or she is the Attorney General of the United States (the Attorney General); (2) an emergency situation exists with respect to the acquisition of foreign intelligence information; (3) such acquisition meets the standards of FISA; (4) the emergency does not afford time to obtain with due diligence, an order authorizing such acquisition; (5) the factual basis for issuance of such an order exists; (6) the Attorney General or a designee has informed a judge having jurisdiction over the matter that the decision has been made to conduct such acquisition; (7) an application to authorize the acquisition is being made to a judge of the Foreign Intelligence Surveillance Court as soon as practicable, but not more than seven days after the Attorney General authorizes such acquisition; (8) Cox and/or its agents will be reasonably compensated for provisioning the requested acquisition pursuant to 50 USC § 1802(4); and (9) Cox and/or its agents may rely in good faith on this certification for purposes of statutory immunity pursuant to FISA.

Attorney General Signature

Date

Appendix C – Law Enforcement Alarm Activity Request Form

Cox Homelife Law Enforcement Alarm Activity Request

Law Enforcement Requestor:

Name _____

Email Address/Fax No. _____

Target Information:

First and Last Name(s) _____

Phone _____

Physical Address _____

Event Start Date/Time _____

Event End Date/Time _____

Additional Information _____

Alarm Event Activity Requested (Attach Subpoena and email to SubpoenaResponse@cox.com)

- Alarm Event History
- Pictures
- Video Records
- Audio Records

Alarm Activity Requested (Attach formal request letter on LEA Letterhead and email to SubpoenaResponse@cox.com)

- Alarm History (general/no event details)
- Customer Account Information

FOR INTERNAL USE: DO NOT WRITE BELOW

Alarm Activity Request

Cox Requestor:

Name _____

Email Address: SubpoenaResponse@cox.com

IControl Account # _____

Cox Account # _____

CMS Account # _____

Appendix D – Customer Authorization for Alarm Activity Disclosure Form

Customer Authorization for Disclosure of Alarm Activity

\$25 Fee Required

I, _____, authorized user of Cox Homelife services, hereby authorize Cox Communications, Inc. to disclose alarm activity, events, pictures, video and/or audio from (DATE) _____, (TIME) _____ to _____ a.m./p.m. to:
(MUST BE PHYSICAL ADDRESS OR EMAIL ADDRESS ON THE COX ACCOUNT)

REASON FOR REQUEST: _____

I hereby agree to indemnify and hold Cox harmless for any claim, demand, loss or injury, including attorneys' fees brought against Cox by a third party, as a result of Cox's compliance with this request. Additionally, I hereby acknowledge that this request is made solely at my request and that the information shall not be shared or disseminated for any unlawful purpose.

Customer Name (Print)

Customer Signature

Mailing address (please provide **full** address)

City, State, Zip code

Date

ID Verified

Cox Representative Verifying ID

Please fax to: (404) 269 1898; Attn: Custodian of Records