

## Subpoena Instructions

### Notes for Law Enforcement When Serving Subpoenas, Court Orders, And Other Lawful Process On Time Warner Cable Seeking High Speed Data (Internet), Telephone, and Video Subscriber Data

*\*\*Please read this document thoroughly. As part of our continuing effort to become more efficient, we ask that law enforcement agencies do not call us with questions, but instead consult the information below. If your question remains unanswered, you may email us at [subpoenainquiry@twcable.com](mailto:subpoenainquiry@twcable.com). Thank you for your compliance with this request.*

#### 1) High Speed Data Subscriber Requests:

If you are seeking information in connection with a Road Runner High Speed Data ("RR") IP address, please provide the IP address, along with a specific date, time and time zone on which the IP was in use. Because our residential IP addresses are assigned dynamically, we cannot conduct a search unless provided with this data (our commercial accounts are assigned static IP addresses). If your request is missing this data, it will be returned with a request that you submit a corrected subpoena/order/warrant.

If you are seeking information on a RR e-mail address, supply the e-mail address and we will conduct a search. However, note that e-mail addresses are less reliable data on which to conduct a search than are IP addresses; IP addresses are always preferable and we are more likely to locate responsive data. Also, please note that we are only able to inform you if an account is assigned a particular e-mail address on the date on which we conduct our research. We have no historical data and may be unable to confirm who owned or used the address on any other date.

You may also provide an individual's name and street address and we can research whether or not that person has (or ever had) a RR account with Time Warner Cable.

When serving a court order or a warrant that is a follow up to a prior preservation request, please include a copy of your prior request so that we can easily locate our pre-existing file in a timely manner.

Finally, please note that we can only provide basic account identifying information upon service of a subpoena. If you require detailed billing records, e-mail content, or other similar records beyond identifying information, pursuant to federal law, we will require a court order or warrant, depending on the nature of the records sought. You may wish to contact us for more information before pursuing the appropriate request so that we can offer direction.

2) In the interest of saving time and preventing your office/agency from submitting a request to us that does not correspond to a Time Warner Cable subscriber, we highly suggest that you consult the American Registry for Internet Numbers Database before sending your lawful process. This database can be found at <http://www.arin.net/index.shtml>. In most cases, performing a search on this website will allow you to verify the internet service provider for an IP address. **Please note:** although this website will help you to confirm that Time Warner Cable/Road Runner is the proper entity, please send the actual subpoena directly to the attention of the Subpoena Compliance Team at the address specified below. All requests are handled by our Subpoena Compliance Team at the address identified in item number 5 below.

It may also be helpful to note that there are additional entities that offer Road Runner high speed data internet service to their subscribers. In addition to Time Warner Cable, Road Runner is also provided by such companies such as Bright House Networks (<http://www.mybriighthouse.com/corporate.aspx>) and Insight Communications (<http://www.insight-com.com/default.htm>). Time Warner Cable cannot respond to requests that seek data regarding a subscriber to one of these other services.

### 3) Notice to Time Warner Cable's RR and Telephone Subscribers:

Absent explicit direction from law enforcement to the contrary, it is Time Warner Cable's current practice to provide meaningful notice to our customers of any process that seeks personally identifiable information about them. It typically takes 10-14 calendar days to notify our customers and provide them an opportunity to object before we comply with any such request for their information.

If a law enforcement agency is issuing a subpoena for customer information pursuant to an ongoing investigation and there is concern that providing notice to that customer may jeopardize their investigation, **the subpoena must include a "non-disclosure" request or statement.** For example: "Time Warner Cable is directed not to disclose this subpoena to any party as such disclosure may interfere with an ongoing investigation." If non-disclosure is not important, please so note on the process so that we don't waste time contacting you to confirm that disclosure will not interfere with your investigation.

### 4) Video Subscriber Requests:

47 U.S.C. s. 551(c), the federal Cable Privacy Act (the "Act"), prohibits a cable operator from disclosing "personally identifiable information concerning any subscriber without the prior written or electronic consent of the subscriber concerned or a court order. You must provide us with the appropriate consent or court order so that we can assist you while complying with federal law. If you are planning on seeking information through a court order, please provide us with sufficient advance notice of the hearing date so we can provide notice of it to our subscriber. Please also note that upon receipt of an order we will, as required by the Act and unless otherwise directed by the Court, provide our subscriber with notice of your request.

Please contact our Subpoena Compliance Team at the number below if you require additional information about this process before pursuing a court order.

### 5) Service of Lawful Process Instructions for Requests Seeking **Video and RR** Subscriber Data:

**Time Warner Cable accepts lawful process by fax to (704) 697-4911, U.S. Mail, or any courier service to (please only send via one of these methods):**

**Time Warner Cable  
Subpoena Compliance Team  
13820 Sunrise Valley Drive  
Herndon, VA 20171  
Tel: (703) 345-3422**

Please note that we cannot provide confirmation of receipt of a fax.

### 6) Service of Lawful Process Instructions for Requests Seeking **Telephone** Subscriber Data, Pen Register/Trap and Trace Orders and Wiretap Orders:

**Time Warner Cable accepts lawful process by fax to (704) 697-4911, U.S. Mail or any courier service to (please only send via one of these methods):**

**Time Warner Cable  
Subpoena Compliance Team  
13820 Sunrise Valley Drive  
Herndon, VA 20171  
Tel: (703) 345-3422**

(NOTE: Following receipt and review of lawful process by the TWC Law Department, administrative work relating to Time Warner Cable's CALEA responses may be performed by our agent, Neustar. Neustar may contact the law enforcement authority to discuss any issued process on Time Warner Cable's behalf.)

Verification of telephone service assignment prior to submitting legal process:

In the interest of saving time and preventing your agency from submitting a request to us that does not correspond to a Time Warner Cable subscriber, we highly suggest that you consult the Neustar LEAP database before sending your lawful process. This database can be found at <http://leap.neustar.biz>. Note that the LEAP database is a subscription-based product available only to law enforcement agencies.

Requests for Assistance from PSAPs

If you are a PSAP that requires assistance locating address information in connection with a 911 call and your NPAC query has indicated that the service provider is Sprint (SPRCL is Sprint's NENA ID), please contact Sprint/Nextel Corporate Security at 1-866-398-3284.

7) Questions:

Service of process questions and status requests should be submitted via e-mail to [SubpoenaInquiry@twcable.com](mailto:SubpoenaInquiry@twcable.com). **Please do not call us with these inquiries.** When sending an email seeking the status of a subpoena you previously submitted, please include the name of the agent who submitted the request; the date the request was submitted; the name, address, IP address, e-mail address, or phone number for which information is being sought.

8) Emergency Requests:

We will only process emergency requests of a life and death nature on an expedited basis if law enforcement first contacts us via phone to alert us that such a request is being submitted. If you write "urgent" or "emergency" on your request, we will not assume it is a life and death situation unless we also receive a phone call from you.

If assistance is required during business hours (8:30 a.m. – 5:30 p.m. EST) with an emergency request involving a RR, Video, or telephone subscriber account, law enforcement authorities may contact Time Warner Cable's Subpoena Compliance Team at our dedicated subpoena phone line (703) 345-3422.

For RR and Video **emergency requests outside normal business hours**, contact Time Warner Cable's National Operations Center at 1/877-777-2263.

For telephone subscriber account emergencies please contact Neustar at 1/877-510-4357, option

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9) Time for Response:

Due to the volume of subpoena requests received by Time Warner Cable, responsive information is generally provided within 10-14 business days. Expedited responses, if resources permit, will generally be provided within 3 business days.

10) Cost Reimbursement:

We reserve the right to seek cost reimbursement in connection with any request served upon us. For intensive requests, we charge different amounts depending on the time and effort required to comply with your request and we will seek a cost reimbursement agreement with your office prior to processing any such request.

11) Records Retention:

The following retention policies generally apply to frequently sought records:

IP Address Assignment Logs: Up to 6 months

Call Records: Call Detail Records (“CDRs”) for billed calls (i.e., international; OS/DA; any interstate billed call), inbound calls and local/intrastate calls are maintained for 18 months.

Preservation Requests: 90 days

Connection Logs: We do not maintain information regarding connection logs or start/stop times for internet use.

E-mail content: E-mail content is generally not available as subscriber E-mail is stored on our server only until it is opened.

12) Surveillance Orders:

National Security Letters (“NSL”) should be transmitted through Investigative Operations Analyst Kelly Clowers of the Bureau’s Washington, D.C. field office (703-686-6317). Ms. Clowers will forward the NSL directly to:

Address:

Jim Carhart, Director of Security Operations  
Time Warner Cable  
13820 Sunrise Valley Drive  
Herndon, VA 20171  
Phone: 703-345-3192  
Fax: 703-345-2756

*The information in this instruction sheet can also be found at the following site:*

<http://www.timewarnercable.com/subpoenacompliance>

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