PEMTEL
BROADBAND INTERNET SERVICE DISCLOSURES

Consistent with FCC regulations, PemTel[1] provides this information about our broadband Internet access service. We welcome questions or comments about this information, including any questions about any portions that you do not understand. You may contact Internet Technical Support at (888) 228-3341.

NETWORK PRACTICES

General description.

We provide a variety of Internet offerings to our residential and business customers over our broadband network and through other communications facilities connecting to the Internet. We monitor our network and traffic patterns and make changes we deem necessary to manage and improve overall network performance. We use reasonable, nondiscriminatory, network management practices to improve overall network performance to ensure a high-quality online experience for all users. We use various tools and techniques to manage our network, deliver our service, and ensure compliance with our Acceptable Use Policy and our Subscriber Agreement/Terms of Service. We also contract with one or more companies for certain network monitoring and management services. Our network management activities may include identifying spam and preventing its delivery to customer email accounts, detecting malicious traffic and preventing the distribution of viruses or other harmful code or content and using other tools and techniques in order to meet our goal of delivering the best possible Internet experience to our customers. Our network management practices do not target any specific content, application, service or device. As network management issues arise and as technology develops, we may employ additional or new network management practices. We will update these disclosures as necessary.

Related documents and disclosures.

- PemTel Acceptable Use Policy (AUP)
- PemTel Internet Rules & Regulations

These documents contain important information regarding our High Speed Internet Service and its use and may be subject to updates and revisions. Subscribers are encouraged to review them on a regular basis.

Blocking. We do not engage in any practice, other than reasonable network management disclosed herein, that blocks or otherwise prevents end user access to lawful content, applications, service or non-harmful devices.

Throttling. We do not engage in any practice, other than reasonable network management disclosed herein, that degrades or impairs access to lawful internet traffic on the basis of content, application, service, user or use of a non-harmful device.

Affiliated or Paid Prioritization. We do not engage in any practice that directly or indirectly favors some internet traffic over other traffic to benefit an affiliate or in exchange for consideration, monetary or otherwise.

Congestion management.

This section describes our network management practices used to address congestion on our network.

Congestion management practices used.

- Network monitoring. We monitor our network for utilization trends. We receive regular reports showing changes in network traffic and congestion. We use this information to plan increases in available bandwidth, port additions or additional connectivity to the Internet. Should new technologies or unforeseen developments in the future make it necessary to implement an active congestion management program, we will update these disclosures and otherwise notify our customers of the scope and specifics of this program.

- Types of traffic affected. Our congestion management practices do not target any specific content, applications, services, or devices, or otherwise inhibit or favor certain applications or classes of applications.

- Purpose of congestion management practices. Our broadband Internet network is a shared network. This means that our customers share upstream and downstream bandwidth. The goal of our congestion management practices is to enable better network availability and speeds for all users. Our congestion management practices serve to:

  o Help us adapt and upgrade our network to maintain or improve network performance as demand for our broadband Internet network increases.
  o Help us adapt and upgrade our network to maintain or improve network performance as demand for higher bandwidth applications increases. Some examples of higher bandwidth applications are gaming, streaming movies, and streaming high definition video.

Congestion management criteria.

- Network monitoring. Our network monitoring provides data to help us plan upgrades to our network, equipment, technology, and connectivity to the Internet. As demand for our Internet service increases, and as demand for higher bandwidth applications increases, we monitor effects on network performance and plan upgrades as we deem necessary.

- Effects on end user experience. Because our broadband Internet network is a shared network, periods of high network demand may result in Internet traffic congestion. End users may experience reduced bandwidth or speed during these times. Although we work to engineer and implement solutions to eliminate congestion that affects the end user experience, new technologies or unforeseen developments may require implementation of an active congestion management program. Should

it become necessary in the future to implement such programs, PemTel will notify its customers of the program and the criteria under which this congestion management will be implemented.

Application-Specific Practices.

This section discloses any application-specific practices we use, if any.

- <u>Management of specific protocols or protocol ports.</u> To protect the security of our network and our customers, we may block known hostile ports. In such cases, we may block that specific port until the attack ceases, at which time we remove the block.

- <u>Modification of protocol fields.</u> Not applicable.

- <u>Applications or classes of applications inhibited or favored.</u> Not applicable.

Device Attachment Rules.

This section addresses any limitations on attaching lawful devices to our network.

- <u>General restrictions on types of devices to connect to network.</u> We place no general restrictions on lawful devices that a customer may connect to our network, so long as the device is: (i) compatible with our network; and (ii) does not harm our network or other users. Our broadband Internet service works with most PCs and laptops including Macs, and other Internet compatible devices like game systems and Internet-enabled TVs. If a wireless router is connected to our broadband Internet service, wireless Internet compatible devices properly connected to the router including computers, tablets, smartphones, and other devices can connect to our network. If a customer or potential customer believes they have an unusual configuration, our customer service department will help determine if there is a compatibility problem.

- <u>DSL Equipment.</u> To use our High Speed Internet service delivered via DSL, customer must have a DSL modem. The customer connects a computer or other Internet enabled device to the modem through a Network Interface Card (NIC) for a wired connection. Some DSL modems can also transmit a Wi-Fi signal for connecting wireless devices to our network. For DSL modems that do not transmit a Wi-Fi signal, a customer can attach a wireless router to the DSL modem for connecting wireless devices. A customer may obtain a DSL modem from us or may use a compatible, commercially available DSL modem. If a customer has a question about DSL modem compatibility, our customer service department will help. Additional information regarding the equipment required to connect to our network is available on our website.

Network and End User Security.

We use a number of tools and techniques to protect our network and end users from malicious and unwanted internet traffic such as preventing the distribution of viruses or other harmful code and preventing the delivery of spam to customer email accounts.

This section provides a general description of the practices we use to maintain security of our network.

Practices used to ensure end user security, including triggering conditions.

- Hostile port blocking: We block known hostile ports to prevent unwanted files, browser hacking and virus attacks.

- Virus and Spam filtering: We filter email and website traffic for virus activity and Spam using industry standard virus scanning and prevention techniques. Should an email message be found to contain a virus or other harmful content, the message will be deleted without notification given to either the sender or the intended recipient(s).

- Firewalls. DSL modems obtained from us have firewalls. When customers obtain a DSL modem from us the firewall is disabled. We will enable the firewall at a customer's request. The firewall provides some protection against persons or programs that attempt to gain access to your computers or other connected devices through the Internet.

- Additional services. We offer email filtering services for virus activity and Spam, as well as antivirus software, to our customers for an additional fee.

Practices used to ensure security of the network, including triggering conditions.

- Hostile port blocking: We block known hostile ports to prevent unwanted files, browser hacking and virus attacks.

PERFORMANCE CHARACTERISTICS

General Service Description.

Our broadband Internet service enables a customer to connect an Internet-enabled device through either a wired or wireless connection. Our broadband Internet access service includes wiring, a DSL modem and a network interface card (NIC) for the personal computer, if required. Our broadband Internet access service enables residential and commercial subscribers to access all lawful content, applications, and services of their choice available on the Internet.

No Internet service provider can guarantee a specific speed at all times – the actual speed a customer will experience while using the Internet depends on a variety of conditions. These can include the customer's computer, the customer's home network configuration, the number of devices connected or the performance of the website visited.

Service technology.

We deliver our High-Speed Internet service through DSL technology, which uses copper telephone lines. Customers access our network using DSL modems.

Expected and actual speeds and latency.

Expected performance.

- We offer customers a variety of broadband Internet service levels. We provide a description of the expected maximum transfer speeds associated with each service level on our website.

- Speed. The speeds we identify for each High Speed Internet service level are the maximum upload and download speeds that customers are likely to experience. We provision our customers' modems and engineer our network to deliver the speeds to which our customers subscribe. However, we do not guarantee that a customer will actually achieve those speeds at all times. A variety of factors can affect upload and download speeds, including customer equipment, network equipment, congestion in our network, congestion beyond our network, performance issues with an Internet application, content, or service, and more.

- Latency. Latency is another measurement of Internet performance. Latency is a term that refers to the time it takes for information to travel between your computer and your Internet destination. High latency occurs when the time it should normally take for the information to make the trip becomes abnormally long. Latency is typically measured in milliseconds, and generally has no significant impact on typical everyday Internet usage. Most applications, such as email and websites, work well despite average latency. Highly interactive applications, such as multi-player games, do not work well with higher latency. As latency varies based on any number of factors, most importantly the distance between a customer's computer and the ultimate Internet destination (as well as the number and variety of networks your packets cross), it is not possible to provide customers with a single figure that will define latency as part of a user experience.

- Actual speed and latency performance. Actual speed and latency may vary depending upon network conditions and other factors. Actual performance of our DSL-based Internet service in most cases will conform to national wireline broadband Internet speed and latency levels reported by the FCC. [2] The FCC has reported that customers of DSL-based broadband Internet services receive mean download speeds that are 99.64% of advertised speeds during non-peak hours, and 97.59% of advertised speeds during peak hours.[3] In addition, the FCC has reported that these same customers experience average latency delays of 11.07 milliseconds.

- Suitability of the Service for Real-time Applications. Our broadband Internet access service is suitable for typical real-time applications, including messaging, voice applications, video chat applications, gaming, and Internet video. If users or developers have questions about particular real-time applications, please contact Internet Technical Support at (888) 228-3341.

Non-Broadband Access Data Services.

Non-BIAS Data services offered to end users.

We offer several managed or "non-BIAS data" services over our network, sharing network capacity with other high speed Internet services.

COMMERCIAL TERMS

- Prices. Monthly prices for our broadband Internet access services are available on our website.

- Usage-based fees. Not applicable.

- Fees for early termination. We impose an early termination fee of $25 for a contract that the customer terminates before the end of the term. This fee remains subject to change. If you have any questions regarding these early termination fees, please contact us.

- Fees for additional network services. Fees for certain additional network services are available on our website.

- Inspection of network traffic. We routinely monitor network and traffic patterns.

- Privacy Policies.   We collect and store information from many sources as it relates to providing and maintaining service to our customers. Individually identifiable customer information, including usage data obtained in our role as your broadband Internet access service provider is only used to provide the service, improve your use of the service, manage our network, or as otherwise required or authorized by law.[4] We do not disclose individually identifiable broadband Internet access service customer or use information to third parties except: (i) as necessary to provide our broadband Internet service and to manage our network; or (ii) in response to law enforcement requests, subpoenas, court orders, or as otherwise required or authorized by law.

- Virus and Spam filtering. We filter email and website traffic for virus activity and Spam using industry standard virus scanning and prevention techniques.

- Storage of network traffic information. Dynamic Host Configuration Protocol (DHCP) information is a code included in all network traffic that associates that traffic with a particular device sending or receiving the traffic. We store DHCP information for at least 36 days.

- Provision of aggregate or anonymized network traffic information to third parties. We may disclose aggregate or anonymized network traffic information to third parties for purposes of providing and managing our broadband Internet service or if required by law.

- Use of network traffic information for non-network management purposes. We do not use network traffic information for non-network management purposes.

- Redress Options. We welcome questions about our broadband Internet access service. This section discloses redress options for end users and edge providers.

End user complaints and questions.

End users with complaints or questions relating to the PemTel Services or these disclosures should contact Jill Williams at (540) 626-7111.

Questions. We will endeavor to answer questions promptly via email or voice.

Complaints. For written complaints, we will provide an initial response in writing within 15 business days of receipt. We will attempt to resolve complaints informally, escalating the matter to senior management if needed.

Edge provider complaints and questions.

Edge providers with complaints or questions relating to our broadband Internet access service or these disclosures should contact Jill Williams at (540) 626-7111.

Questions. We will endeavor to answer questions promptly via email or voice.

Complaints. For written complaints, we will provide an initial response in writing within 15 business days of receipt. We will attempt to resolve complaints informally, escalating the matter to senior management if needed.

Designated Agent:
Michael J. Dudding
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Pembroke, VA 24136
(540) 626-7111
pembroke@pemtel.net

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[1] *47 C.F.R. § 8.3; Preserving the Open Internet, Broadband Industry Practices, Report and Order, 22 FCC Rcd 17905 (2010); Protecting and Promoting the Open Internet, Report and Order on Remand, Declaratory Ruling, and Order, GN Docket No. 14-28 (rel. Mar. 12, 2015); Restoring Internet Freedom, Declaratory Ruling, Report and Order 33 FCC Rcd 311 (2017).*
[2] *See FCC's Office of Engineering and Technology and Office of Strategic Planning & Policy Analysis, 2016 Measuring Broadband America Fixed Broadband Report, A Report on Consumer Fixed Broadband Performance in the United States, (Dec. 1, 2016) (available at https://www.fcc.gov/reports-research/reoprts/measuring-broadband-america/measuring-fixed-broadband-report-2016) ("2016 Measuring Broadband America Report").*
[3] *2016 Measuring Broadband America Report, Validated Data, Statistical Averages, Download Sustained and Upload Sustained, (Dec. 1, 2016) (available at https://fcc.gov.reports-research/reports/measuring-broadband-america/validated-data-measuring-broadband-america-2016#block-menu-block-4) (data presented unweighted mean percentage of advertised speeds, taken over a 24 hour, Saturday-Sunday period.*
[4] *2016 Measuring Broadband America Report, Validated Data, Statistical Averages, Latency, (Dec. 1, 2016) (available at https://fcc.gov.reports-research/reports/measuring-broadband-america/validated-data-measuring-broadband-america-2016#block-menu-block-4) (data presented unweighted mean latency in milliseconds, taken over a 24 hour, Saturday-Sunday period.*