

NETWORK PRACTICES

General description. SmarterBroadband (“SBB”) provides a variety of Internet offerings to our residential and business customers over our broadband network and through other communications facilities connecting to the Internet. “SBB” does monitor the network and traffic patterns and make changes we deem necessary to manage and improve overall network performance. “SBB” uses reasonable, nondiscriminatory, network management practices to improve overall network performance to ensure a high-quality online experience for all users. “SBB” uses various tools and techniques to manage our network, deliver our service, and ensure compliance with our Acceptable Use Policy and our Terms and Conditions of Service. “SBB’s” 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. “SBB’s” network management practices do not target any specific content, application, service or device. As network management issues arise and as technology develops, “SBB” may employ additional or new network management practices.

We will update these disclosures as necessary.

Related documents and disclosures. Use of our broadband Internet access service is also governed by:

- SmarterBroadband’s Acceptable Use Policy, available at <http://smarterbroadband.com/SMARTERBROADBAND%20ACCEPABLE%20USE-new.pdf>
- SmarterBroadband’s Terms and Conditions of Service, available at <http://smarterbroadband.com/Policies.html>.
- SmarterBroadband’s Copyright Infringement Policy, available at http://smarterbroadband.com/SBB_DMCA_Copyright_Infringement_Policy.pdf

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

Blocking. SmarterBroadband does 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. SmarterBroadband does 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. SmarterBroadband does 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 “SBB’s” network management practices used to address congestion on our network.

Congestion management practices used.

- **Network monitoring.** “SBB” does monitor the 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:
 - Help us adapt and upgrade our network to maintain or improve network performance as demand for our broadband Internet network increases.
 - Help us identify potential heavy bandwidth users.

Congestion management criteria.

- **Network monitoring.** “SBB’s” network monitoring provides data to help us plan upgrades to our network, equipment, technology, and connectivity to the Internet.
- **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, “SBB” 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.

- **Management of specific protocols or protocol ports.** 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.

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

General restrictions on types of devices to connect to network. “SBB” has 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. “SBB” 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 password-protected 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.

Network and End User Security. This section provides a general description of the practices “SBB” use to maintain security of our network. 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.

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

- **Hostile port blocking:** “SBB” may block known hostile ports to prevent unwanted files, browser hacking and virus attacks.

PERFORMANCE CHARACTERISTICS

General Service Description. “SBB” service enables a customer to connect an Internet-enabled device through either a wired or wireless connection. “SBB’s” fixed-wireless broadband Internet access service includes wiring and an antenna. 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, or the performance of the website visited.

We deliver “SBB” wireless broadband Internet service over fixed-wireless network using a base station and antenna. Customers subscribing to our fixed wireless Internet access our network using fixed wireless customer premise equipment. This is a shared network, which means that our customers share upstream and downstream bandwidth.

Expected and actual speeds and latency.

Expected performance. “SBB” offer customers a variety of broadband Internet service levels. We provide a description of up to maximum transfer speeds associated with each service level for both residential and business services on our website.

Speed. The speeds “SBB” identifies for each broadband 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 high 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.

Customer Speed Test. “SBB” hosts an online speed test for our customers, available at <https://www.speedtest.net/>

Suitability of the Service for Real-time Applications. “SBB’s” Internet access service is suitable for typical real-time applications, including messaging, voice applications, video chat applications, gaming, and Internet video.

Non-Broadband Internet Access (BIAS) Data Services.

Non-BIAS Data services offered to end users. “SBB” offer several managed or “non-BIAS data” services over our network, sharing network capacity with other high speed Internet services. Managed non-BIAS data services include dedicated bandwidth to high volume business users

Effects of non-BIAS data services on availability and performance of broadband Internet access service. “SBB’s” provision of non-BIAS data services has no effect on the availability and performance of our broadband Internet access service.

COMMERCIAL TERMS

Prices. Monthly prices for “SBB” residential and business broadband Internet access services are available on our website at <http://smarterbroadband.com/Pricing.htm>

Fees for early termination. An early termination fee may be charged if a customer disconnects while under a contracted agreement with “SBB”.

Privacy Policies. “SBB” will 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.

“SBB” does 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.

Inspection of network traffic. “SBB” routinely monitors network and traffic patterns.

Provision of aggregate or anonymized network traffic information to third parties. “SBB” 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. “SBB” does not use network traffic information for non-network management purposes. However, data regarding a customer’s excessive data usage may be utilized for discussions to move that customer to a higher broadband plan.

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 “SBB” Service or these disclosures should contact 1-530-272-4000 or support@smarterbroadband.com or written complaint sent to 15533 Johnson Place, Grass Valley, CA 95949
 - **Questions.** We will endeavor to answer questions promptly via email or voice.
 - **Complaints.** For written complaints, a customer service representative will contact the end user via phone call. 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 1-530-272-4000 or support@smarterbroadband.com or written complaint sent to 15533 Johnson Place, Grass Valley, CA 95949

- **Questions.** We will endeavor to answer questions promptly via email or voice.
- **Complaints.** For written complaints, a customer service representative will contact the edge provider via phone call. We will attempt to resolve complaints informally, escalating the matter to senior management if needed.