

OPENBAND PRIVACY POLICY

OpenBand values your privacy and we are committed to practices which protect your privacy. This Privacy Policy is designed to inform you about the information we collect, how we use it, and your options with regard to that collection and use. This policy also describes privacy rights you have under certain federal laws. This policy applies to OpenBand customers in the United States and to OpenBand Website visitors. It applies across OpenBand companies and the services they provide. Also, certain services offered to consumers as well as contracts between OpenBand and its business customers may contain additional privacy-related terms and conditions that are presented to you in other ways.

Information Collected When You Communicate with OpenBand.

When you communicate with OpenBand, we collect information from you that we use to deliver, provide, confirm, change, bill, monitor, maintain and repair your products and services. This information is also used to resolve issues with your order, with our products and services, or with your account. The information we collect may include your name, addresses, and other contact information; images you provide; the reason for the contact; and your driver's license number, social security number and payment information. We use this information to establish and maintain your customer account and billing records (including establishing credit), provide services to you, authenticate you, and contact you about products and services that we offer.

When you contact us or we contact you with calls, via e-mail, in writing, or through a feature on our websites or in our applications, we may monitor or record that communication or keep a record of the transaction to help us train employees and provide high-quality customer service.

Information Collected When You Use OpenBand Products and Services.

We collect information about your use of our products, services and sites. Information such as call records, websites visited, application and feature usage, network traffic data, product and device-specific information and identifiers, service options you choose, mobile and device numbers, video streaming and video packages and usage, movie rental and purchase data, OpenBand Video viewership, and other similar information may be used for billing purposes, to deliver and maintain products and services, or to help you with service-related issues or questions. In addition, this information may be used for purposes such as providing you with information about product or service enhancements, determining your eligibility for new products and services, and marketing to you. This information may also be used to manage and protect our networks, services and users from fraudulent, abusive, or unlawful uses; and help us improve our services, research and develop new products, and offer promotions and other services.

If you subscribe to OpenBand Internet access services, we may automatically measure and monitor network performance and the performance of your Internet connection to improve your, or our, service levels and products. If you contact us for service support, we also may access information about your computer, wireless device or other device settings to provide customized technical support or to install specific applications or services that you use or that are necessary to the applications or services you use.

This type of information may be aggregated or anonymized for business and marketing uses by us or by third parties. For example, aggregate or anonymous data may be used to improve our services, measure and analyze the use of services and to help make services and advertising more relevant to customers.

If OpenBand intends to gather information from your use of our Internet access services to direct customized advertising specifically to you based on your visits over time and across different non-OpenBand Websites, we will provide you with notice of our plan and obtain your affirmative consent. Please note that OpenBand is not responsible for information, content, applications or services provided by others. Before you access, use, link to, or download a service or application on your computer, television, wireless or other device, you should review the associated terms of service and privacy policy. Personal information you submit in those contexts may be read, collected or used by the service or application provider and others associated with these forums in a manner different from that described here.

Information Provided to Us by Third Parties.

When you purchase products or apply for service with us, we may obtain credit information about you from outside credit reporting agencies to help us with customer authentication and credit-related decisions. If you lease your residence, we may have information about how to reach your landlord and whether landlord permission is required to install our facilities.

Information Collected on OpenBand Websites.

When you browse OpenBand Websites, information is collected about your device and your visit. We may collect information about your connection, including your device's browser, operating system, platform type and Internet connection speed. We use this information for operational, performance measurement and other business purposes.

Information You Provide.

When you contact us online or by other means for information about products and services, we will respond to your request and may use the information you supply to provide you with additional information about other OpenBand services, programs or offerings either at that time or in the future. Information you provide on our websites about your preferred location and other preferences may be used to provide you with more relevant product recommendations, services and special offers.

We may also collect information from you when you agree to participate in surveys or provide other feedback to us regarding our products or services. We use this information only for the purpose for which you provide it.

OpenBand may send you emails that communicate information about your account or about products, services, marketing offers, or promotions that may be of interest to you. When you open an OpenBand email or click on links within these emails, we may collect and retain information to provide you with future communications that may be more interesting to you.

Please note that OpenBand will not ask you to send us, via email, sensitive personal or account information.

Information about the Cable Act.

To the extent that Section 631 of the Communications Act of 1934, as amended (the "Cable Act") applies to services you purchase, it entitles you to know about the personally identifiable information a cable service provider collects. This includes the nature of the use and disclosure of this information and to whom it may be disclosed, how long personally identifiable information is maintained, and how subscribers may access it. In addition, the Cable Act imposes limits on the collection and disclosure of personal information and gives subscribers the ability to enforce their privacy rights. (Personally identifiable information does not include aggregate data that does not identify a particular person).

The Cable Act allows a provider to use its cable system to collect personally identifiable information necessary to render a cable service or other services provided to subscribers and to detect and prevent unauthorized access to services. Additional personally identifiable information may be collected with the subscriber's prior consent. Personally identifiable information may be used or disclosed without the subscriber's consent where necessary to render services, and to conduct legitimate business activities related to services provided.

We may be required by law to disclose personally identifiable information to a governmental entity to comply with valid legal process, such as warrants, court orders or subpoenas, but we will not disclose records revealing your selection of video programming unless we receive a court order indicating that the governmental entity has made a specified showing of relevance and you were afforded an opportunity to contest the order. We may be required to disclose personally identifiable information (including your selection of video programming) to a non-governmental entity to comply with a court order, after you have been provided notice.

If you believe that your privacy rights have been violated, please contact us at support@openband.net and we will work with you to address your concerns. If you believe that you have been aggrieved as a result of a violation of the Cable Act, you may enforce the limitations imposed by the Cable Act through a civil action in a United States district court seeking damages, attorney's fees, and litigation costs. Other rights and remedies may also be available to you under federal or other applicable laws.

The Cable Act permits the disclosure of customer names and addresses as long as a subscriber has been provided with the opportunity to prohibit or limit this disclosure and the disclosure does not reveal, directly or indirectly, the subscriber's viewing or other uses of the cable or other services provided. If we intend to share data in this way, we will provide you with the opportunity to prohibit or limit this type of sharing.

Information Shared Within the OpenBand Family of Companies.

OpenBand shares customer information within our family of companies for a variety of purposes, including, for example, providing you with the latest information about our products and services and offering you our latest promotions. You can limit the sharing of certain types of customer information, known as Customer Proprietary Network Information (CPNI) within the OpenBand family of companies for marketing services to you other than your current services. CPNI is information that relates to the type, quantity, destination, technical configuration, location, amount of use, and related billing information of your telecommunications or interconnected Voice over Internet Protocol (VoIP) services. Federal law governs our use and sharing of CPNI.

Information Shared Outside the OpenBand Family of Companies:

Except as explained in this Privacy Policy, in privacy policies for specific services, or in agreements with our customers, OpenBand does not sell, license or share information that individually identifies our customers, people using our networks, or website visitors with others outside the OpenBand family of companies for non-OpenBand purposes without the consent of the person whose information will be shared.

OpenBand uses vendors and partners for a variety of business purposes. We share information with those vendors and partners when it is necessary for them to perform work on our behalf.

OpenBand provides the names, addresses and telephone numbers of wireline telephone customers to directory publishers and directory assistance services unless a non-published or non-listed phone number has been requested.

We may disclose information that individually identifies our customers or identifies customer devices in certain circumstances, such as:

- to comply with valid legal process including subpoenas, court orders or search warrants, and as otherwise authorized by law;
- in cases involving danger of death or serious physical injury to any person or other emergencies;
- to protect our rights or property, or the safety of our customers or employees;
- to protect against fraudulent, malicious, abusive, unauthorized or unlawful use of or subscription to our products and services and to protect our network, services, devices and users from such use;
- to advance or defend against complaints or legal claims in court, administrative proceedings and elsewhere;
- to credit bureaus or collection agencies for reporting purposes or to obtain payment for OpenBand-billed products and services;
- to a third-party that you have authorized to verify your account information;
- to outside auditors and regulators; or
- with your consent.

When you purchase services offered jointly by OpenBand and one of our business partners, customer information may be received by both OpenBand and our business partner that is providing your service. For these jointly offered services, you should also review the partner company's privacy policy which may include practices that are different from the practices described here.

If OpenBand enters into a merger, acquisition or sale of all or a portion of its assets or business, customer information will also be transferred as part of or in connection with the transaction.

Customer Proprietary Network Information (CPNI).

OpenBand shall not use, disclose or permit access to CPNI by any affiliated or unaffiliated entities for the purpose of providing or marketing service offerings. OpenBand shall not use, disclose to third parties or permit access to CPNI for any purpose, except when compelled to do so by law. In the event that OpenBand shall use CPNI or allow access to its CPNI in the future, it will implement appropriate "opt-in" or "opt-out" procedures as required by the rules of the FCC.

Telemarketing.

Federal "Do Not Call" laws allow you to place your phone numbers on the National Do Not Call Registry to prevent telemarketing calls to those numbers. If you would like to add your numbers to this list, you may do so by calling 1-888-382-1222, or by visiting www.donotcall.gov.

Information Security and Data Retention.

OpenBand has technical, administrative and physical safeguards in place to help protect against unauthorized access to, use or disclosure of customer information we collect or store. Employees are trained on the importance of protecting privacy and on the proper access to, use and disclosure of customer information. Under our practices and policies, access to sensitive personally identifiable information is authorized only for those who have a business need for such access. Personally identifiable and other sensitive records are retained only as long as reasonably necessary for business purposes.

Accessing and Updating Your Information.

We strive to keep our customer records as accurate as possible. You may correct or update your OpenBand customer information by calling an OpenBand customer service representative at 703-961-1110 or by accessing your account online (<http://support.openband.net>) and providing the updated information there. If you believe any of your personally identifiable information is inaccurate, we will work with you to ensure that corrections are made.

Links to and from Non-OpenBand Websites and Content.

OpenBand Websites and platforms may contain links to non-OpenBand sites and OpenBand applications or other content may be included on web pages and websites that are not associated with OpenBand and over which we have no control. We are not responsible for the content on these sites or platforms or the privacy policies and practices employed by these sites and platforms. We recommend that you review the policies and practices of the sites you visit.

Changes to This Policy.

We reserve the right to make changes to this Privacy Policy, so please check back periodically for changes. You will be able to see that changes have been made by checking to see the effective date posted at the end of the policy.