



OPEN INTERNET POLICY

Delcom, Inc. (Delcom) adopts this Open Internet Policy to promote the Internet as an open platform enabling customer choice, freedom of expression, end-user control, competition, and the freedom to innovate without permission.

No Unreasonable Discrimination: Delcom does not unreasonably discriminate in transmitting lawful network traffic over a customer's broadband Internet access service, subject to reasonable network management. Reasonable network management practices are set out below.

Delcom does not:

- Discriminate among specific uses, or class of uses, of its network
- Impair, degrade or delay VoIP applications or services that compete with its voice services or those of its affiliates
- Impair, degrade, delay or otherwise inhibit access by customers to lawful content, applications, services or non-harmful devices
- Impair free expression by actions such as slowing traffic from particular web sites or blogs
- Demand pay-for-priority or similar arrangements that directly or indirectly favor some traffic over other traffic
- Prioritize its own application, services or devices or those of its affiliates

No Blocking: Delcom does not block lawful content, applications, services, or non-harmful devices, subject to reasonable network management. Network management practices are set forth below.

NETWORK MANAGEMENT PRACTICES

General: Delcom manages its network to provide high quality service to its customers. Delcom cannot guarantee that it can prevent spam, viruses, security attacks, network congestion and other actions which can affect service, but does use various filters, monitoring efforts and other measures to minimize the effects of spam, viruses, security attacks, network congestion and other actions which can affect the service provided to customers.

Congestion: Delcom has not experienced substantial problems with congestion. However, it may be possible that there are congestion events that may occur in the future, particularly as it may be related to the service capacity from third parties used by Delcom to provide the customer with access to the world. Such service capacity is outside the control of Delcom.

Where feasible, Delcom will address congestion issues through improvements to its network or the capacity purchased from other providers needed to connect to the outside world. Such processes take time to implement and may not be feasible in all situations. Therefore, Delcom reserves the right to monitor and identify which customer accounts are using the greatest amount of bandwidth during periods of heavy congestion and to work to provide solutions to address those issues. If a preferred solution cannot be worked out with the customer or customers, Delcom reserves the right to manage the Internet traffic of high volume customers during periods of significant congestion. This means that the affected customers will still be able to access the Internet and engage in activities that they desire, but during certain periods of time they may experience conditions such as longer times to download or upload files, slower access and slower movements during online game playing. It is expected that any periods of traffic management due to congestion will be brief and infrequent.

Use of Network: In no case will Delcom discriminate among customers on the basis of the type of content, applications, services or devices which the customer uses.

Applications: Customers may use any lawful and commercially available application which they desire. Delcom does not normally monitor the contents of the traffic or applications of the customers and undertakes no obligation to monitor or investigate the lawfulness of any specific application used by a customer. Delcom will only take steps regarding an application-specific behavior by a customer if there is a reasonable belief that the application will cause harm to Delcom's network or is unlawful, including, but not limited to, violating intellectual property rights.

Devices: A customer may use any lawful, compatible type-accepted and commercially available device which they desire on the network provided by Delcom, as long as such device does not harm the network and is not unlawful.

Security: Delcom undertakes no obligation to monitor or protect customer traffic from spam, viruses, denial of service attacks or other malicious, unlawful or unwarranted activities. Delcom does not guarantee that it can protect customers from any or all security breaches. The customer is using this service at its own risk. Customers are cautioned to purchase their own spam filtering and antivirus software from commercial vendors to meet their needs. However, a customer that is subject to spam, virus, denial of service attack or similar malicious, unlawful or unwarranted activities is urged to contact Delcom as soon as possible. Delcom will work with the customer on how the customer can take appropriate and economically reasonable efforts to address the matter.

Other Matters: Other terms and conditions for use are found in Delcom's Internet Service Agreement at http://www.delltelephone.com/forms/Delcom_Acceptable_Internet_Use_Policy.pdf. The terms and conditions of the Internet Service Agreement control to the extent there is any inconsistency with this Policy.

PERFORMANCE CHARACTERISTICS

The pricing and levels of service provided by Delcom can be found at <http://www.delltelephone.com/delcom.php>. The service provided is a DSL type of service consisting of fiber optic and copper digital facilities. Expected access speeds in the DSL portions of the network range from 128kb to 7mb depending on the actual lengths of the respective fiber trunks and copper lines. As an adjunct to its service, Delcom offers satellite service through Wild Blue. Information about Wild Blue's service is available at Delcom's web site.

Actual access speeds and delay times or latency are impacted by the length, capacity and congestion of transport facilities purchased by Delcom from third party providers. Delcom cannot guarantee that it will be able to obtain capacity from these third party providers at commercially reasonable prices if and when additional third party capacity is needed to reach Internet nodes.

Delcom's ability to deliver the speeds set forth above may be affected by significant use of specialized services such as Internet-based video services. This is a growing area and its effect on Delcom's ability to provide service at the speeds listed above are unknown at this time.

PRIVACY

As a general statement, Delcom does not usually entail inspection of network traffic. Delcom does retain and store certain traffic information for time periods required by federal and state law, including, but not limited to, the identity of the customer using a particular IP address during a specific period of time. Delcom does assist law enforcement and provides traffic information that it may have available to it when requested pursuant to the Communications Assistance for Law Enforcement Act, the Foreign Intelligence Surveillance Act and other applicable national and state security and criminal statutes.

DELCOM DOES NOT COLLECT, STORE OR USE TRAFFIC INFORMATION TO PROFILE ITS CUSTOMERS IN ORDER TO SELL ADDITIONAL SERVICES TO THEM OR FOR NON-NETWORK MANAGEMENT PURPOSES.

COMPLAINTS

If a customer has complaints about the service, they are urged to contact dtci@dellcity.com. A customer always has the right to file a complaint with the Federal Communications Commission at www.fcc.gov.

RESERVATION OF RIGHTS/AMENDMENTS

In the event of any conflict between material found on other links on Delcom's web site and this Open Internet Policy, the more specific terms at the other links shall control.

Delcom may modify this Policy and other policies it has linked for the customer from time to time at its discretion. Notice of such changes will be posted on this web site. However, individual notice to customers, content providers, application providers, service providers or device providers by any means whatsoever shall not be provided unless specifically required to by federal or state law. Notice of changes will be provided in advance normally upon a thirty day basis. However, Delcom reserves the right to use a shorter notice period when circumstances so warrant.