# Internet Access Service Network Management

The following information applies only to "mass market" Internet access services in accordance with Part 8 of the Rules of the Federal Communications Commission (FCC). These services include only residential, non-customized small business, and e-rate Internet access services, and not specialized services or enterprise service offerings, or other services that are not mass-marketed or retail services, or do not otherwise meet the FCC's definition of "Broadband Internet access service" as defined in the Open Internet Order and 47 C.F.R. section 8.11(a).

The purpose of this disclosure is to make available information regarding MegaPath's network management practices, and the performance and commercial terms of its broadband Internet access services to enable you to make informed choices regarding the purchase and use of MegaPath's services. MegaPath does not block any lawful content, applications, services, or your use of non-harmful devices. MegaPath does not discriminate in transmitting lawful network traffic—except as reasonably necessary to manage its network effectively for the benefit of its customers as described below. This document is intended to be informational; it does not replace or alter the legal terms and conditions of service.

**Service Speeds**

MegaPath broadband Internet services are available at different tiers that offer different upload and download speeds and usage allotments, as described at www.megapath.com/data/. Please note that MegaPath service tiers are described as offering "up to" certain speeds. While MegaPath engineers its network to achieve the speeds for each of the service tiers offered, MegaPath cannot guarantee that customers will always experience those speeds because of, limitations of the customer's equipment or internal networks or congestion in other parts of the Internet, among other reasons. Customers are able to test service speeds at http://www.speakeasy.net/speedtest/. Please note that all speed tests have biases and flaws, and should be seen as a guide rather than definitive measurements of performance. Tests can be substantially affected by other factors and, therefore, do not necessarily reflect the performance of MegaPath services.

MegaPath offers managed and specialized services over the same facilities used to provide your Internet access. Your use of MegaPath Voice, Managed Security, or other specialized or managed services may affect your Internet performance. MegaPath offers Quality of Service ("QoS") levels and Class of Service ("CoS") options to differentiate and prioritize traffic across limited bandwidth circuits and MegaPath's network in order to proactively manage bandwidth and optimize application performance. The use of dynamic allocation allows any traffic type to use the entire bandwidth of the broadband circuit, in the absence of the other traffic type.

**Commercial Terms of Service and Internet Privacy Policies**

The Terms and Conditions of Service and links to MegaPath's Acceptable Use Policy ("AUP") and Privacy Policy are posted at www.megapath.com/about/corporate-policies. MegaPath does not engage in any "deep packet inspection" or other inspection of content for non-network purposes, nor does MegaPath maintain a database of your Web browsing history. In an effort to improve your experience, if a website has been mistyped in your browser, MegaPath may provide a list of possible websites to help you reach the intended destination.

**Network Management**

MegaPath engages in network management practices to provide high-quality Internet access service including during high-demand periods and to protect MegaPath and its customers from harmful content—such as malware, spam, and viruses.

Where network congestion occurs, MegaPath works to alleviate the congestion in various ways, which may include increasing network capacity or addressing the cause of the network congestion on a case-by-case basis. MegaPath offers QoS and CoS options to prioritize traffic in times of network congestion. MegaPath maintains industry standard network priority settings that support delivery and latency targets to help the performance of mission-critical applications.

MegaPath uses a number of tools and techniques to protect its network and customers 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 e-mail accounts. Because the nature of external network threats is constantly evolving, MegaPath's network security practices are dynamic and change regularly. MegaPath does not target specific types of traffic based on their technology or provider, or modify protocol fields in ways not prescribed by the protocol standard. MegaPath does not block or manage any specific protocols or protocol ports, except MegaPath may block ports or take other corrective action to protect its network and customers, and to prevent activity that is determined, at MegaPath's sole discretion, to be unethical or damaging to MegaPath's other customers, users of the Internet in general, or to MegaPath's corporate reputation. MegaPath restricts unsolicited, commercial mass emailing to others, spoofing, phishing, or activities that will cause a denial-of-service to any other Internet user. MegaPath also offers additional security and firewall services that customers may configure based on their needs.

**Equipment**

Customers must terminate their Internet access circuit on a MegaPath-provided or MegaPath-certified terminating device (e.g., modem or router). Subject to applicable laws, MegaPath does not restrict non-harmful customer premises equipment (CPE) from being attached to MegaPath's terminating device.

**Resolving Complaints and Questions**

If you have any questions or concerns about your Internet services, please contact MegaPath at 1-877-MEGAPATH or www.megapath.com.