

# Network Management Practices Policy

Pursuant to the Federal Communications Commission's newly enacted Open Internet Rules found in Part 8 of Title 47 of the Code of Federal Regulations, the policies of Plains Cooperative Telephone Assn., Inc. and Plains Communication Services, LLC ("Provider") regarding network management practices, performance characteristics, and commercial terms are provided in entirety so that Provider's current customers, prospective customers, third-party content providers and other interested parties can make informed choices regarding the broadband Internet access services offered by Provider, and the extent Provider's network management practices may affect those services.

## Network Management Practices

In the interest of providing the best online experience possible for all of Provider's customers, Provider utilizes reasonable network management practices tailored to achieve legitimate network management purposes. Because bandwidth is a limited resource for broadband Internet service providers, it is essential that Provider reasonably manages its network to promote the use and enjoyment of the Internet by all of Provider's customers. By engaging in reasonable and responsible network management, Provider prevents its customers from being subjected to the negative effects of spam, viruses, security attacks, network congestion, and other risks that threaten to degrade service. The network management practices employed by Provider are consistent with industry standards.

## Congestion Management

It is possible that a relatively small number of customers may place a disproportionate demand on the network bandwidth resources, causing network congestion and an overall degradation in service quality for other end users. For this reason, if Provider's network nears a state of congestion, Provider may use congestion management practices to ensure all of Provider's customers retain access to a "fair share" of bandwidth resources.

When Provider's network nears a state of congestion, the congestion management tools, practices and/or software employed by Provider will identify segments of the Provider network which have a predetermined, aggregated level of bandwidth usage. From there, the congestion management tools will ascertain which customer account in the identified network segment is using a disproportionate share of the bandwidth. The Internet traffic of the identified customer account may be temporarily managed until the period of network

congestion passes. Customers whose Internet traffic is temporarily managed by Provider will still be able to access online content, and many activities will be unaffected; however, these customers may experience slower downloads and uploads and Internet/website response times.

The congestion management practices utilized by Provider are “protocol-agnostic” meaning that the network does not manage congestion based on the online activities, protocols or applications a customer uses. Rather, Provider’s congestion management practices focus only on the heaviest bandwidth users in real time.

## **Application-Specific Behavior**

Provider does not make use of any application-specific network management practices. Provider does not modify protocol fields in ways not prescribed by the protocol standard. Provider does not inhibit or favor certain applications or classes of applications. Provider does not block or rate-control specific protocols or protocol ports, with the exception of blocking certain outbound Transmission Control Protocol (“TCP”) Port 25 or Simple Mail Transfer Protocol (“SMTP”) as a protection and security control mechanism against unsolicited commercial email (“UCE”).

## **Device Attachment Rules**

Customer-provided DSL, FTTH, and Cable Modem Customer Premise Equipment (“CPE”) are incompatible with Provider’s network due to customization of service activation processes by the Provider. Provider deploys compatible CPE device to customer upon service activation and remains the property of the Provider after service deactivation. In order for a device to be approved for use on the Provider’s network, the device must conform to publicly available industry standards, be non-harmful to Provider’s network, and be connected on the local area network (“LAN” or “private side”) of the above mentioned CPE.

## **Security**

Provider offers its customers unrestricted access to all of the lawful content, services, and applications available on the Internet. Provider uses industry standard tools and generally accepted best practices and policies to protect our customers from spam, phishing, and other unwanted or harmful online content and activities. In the instances where these tools and policies identify online content as harmful or unwanted, the content may be prevented from reaching

customers, or customers may be permitted to identify or inspect content to determine if it is harmful or unwanted.

The security measures employed by Provider to prevent the spread of viruses, malware, spam, harmful and unwanted content or other threats to consumers do not prevent end-users from running certain applications.

## Performance Characteristics

Provider offers broadband Internet access service via a Digital Subscriber Line (“DSL”) or Fiber to the Home (“FTTH”) or 700 MhZ Fixed Wireless. DSL is a wireline transmission technology that transmits data faster over traditional copper telephone lines already installed to homes and businesses. FTTH utilizes fiber optic cable to deliver telephone, data and video services to customer locations.. Broadband Internet access service delivered via 700 MhZ uses Terrestrial Fixed Wireless technology to deliver Internet service to customer locations in surrounding areas unable to be served by our DSL or FTTH.

The advertised speed of Provider’s Internet service is the maximum speed achievable with the technology utilized by Provider. While the maximum advertised speed is attainable for end users, several factors may affect the actual speed of Provider’s Internet service offerings, including, but not limited to: the distance of the consumer’s home or office from Provider’s central office (i.e., the further away the customer is from the central office, the slower the broadband speed), the end user’s computer, modem or router, activity during peak usage periods, and other Internet traffic.

Based on internal RFC2544 back-to-back testing measuring throughput and latency, the expected mean upload and download access speeds are typically plus or minus 15% of the advertised access speeds during peak usage periods (i.e., between 7:00 p.m. and 11:00 p.m. on weeknights) with a mean round trip latency of 20ms.

The actual speeds achieved with Provider’s Internet service offering may not make Provider’s Internet service suitable for real-time applications, such as Voice over Internet Protocol (“VoIP”). Some real-time services may require more stringent protocol performance metrics including low latency, low jitter, and high throughput. Customer may choose to query Provider to be better informed about their specific performance requirements before purchasing real-time services.

Provider does not offer any specialized services.

# Commercial Terms

## Pricing

In order to meet the usage and budgetary needs of all of our customers, Provider offers a wide selection of broadband Internet access plan options, including promotional offerings and bundled service choices.

To see Provider's current promotions and pricing on broadband Internet access service, please visit the Internet Service link on our website or call **1-970-358-4211** to speak with a customer service representative.

For network security purposes, businesses and/or other customers utilizing Provider's network, but not Provider's email service with the corresponding security measures, may be required to purchase a Static Internet Protocol ("IP") address for an additional monthly fee.

## Early Termination Fees

If a customer previously entered into a service agreement with Provider for broadband Internet access service for a defined service term, and customer desires to terminate the service agreement prior to the expiration of that term, Provider may charge a reasonable early termination fee if such fee is clearly indicated in the service agreement.

Upon service deactivation, failure to return Provider-owned equipment such as DSL, Router or Modem CPE, Set-Top-Box or DVR devices will result in a fee charged to the customer.

Customers may call **1-970-358-4211** to speak with a customer service representative about Early Termination Fees in the event of service deactivation with the Provider.

## Usage-Based Fees

Provider's Internet service is priced on a flat-fee basis (plus taxes). Provider does not charge end users a usage-based fee for Internet service at this time.

## Privacy Policy

Provider affords full access to all lawful content, services and applications available on the Internet and does not routinely monitor, inspect or store the

network activity and traffic of its Internet service users. However, Provider reserves the right to monitor bandwidth, usage, transmissions and content for purposes of protecting the integrity of the network and Provider's Internet access service through reasonable network management practices.

For troubleshooting purposes, Provider may collect equipment information to identify the equipment customer is using on the network, including, but not limited to: equipment type, serial number, settings, configuration and software. Provider may also collect performance information to examine the operation of the equipment, services and applications the customer may use on the network, including, but not limited to: IP addresses, URLs, data transmission rates and latencies, location information, security characteristics, and information about the amount of bandwidth and other network resources customer is using in connections with uploading, downloading or streaming data to and from the Internet.

Network traffic, activity, performance information, and equipment information monitored or collected by Provider is done so for the sole purpose of reasonable network management purposes.

Provider is required to comply with relevant laws, regulations and governmental requests, including supplying relevant information to law enforcement agencies which may be collected as part of network management practice outlined above. Provider does not distribute information on network activity and/or traffic to any other third party, or use network traffic information for any non-network management purpose.

The Provider's network management practices as discussed herein are intended solely to provide the best online experience possible for all of Provider's customers by safeguarding our network and its users from spam, viruses, phishing, and other unwanted or harmful online content and activities. Provider's network management practices are not intended, nor implemented, to block consumers from accessing the content and applications of their choice, deprive consumers of their entitlement to competition, or discriminate against or in favor of certain network traffic. End users with questions, concerns or complaints regarding Provider's network management practices are encouraged to contact Provider for issue resolution.

## **Contact Us**

If you have any questions regarding Provider's Network Management Practices Policy or would like to file a complaint with Provider regarding its network management practices, please contact Provider at:

**Plains Cooperative Telephone Assn., Inc.**  
**PO Box 123**  
**970-358-4211**

[plains@plainstel.com](mailto:plains@plainstel.com)

Further, if you believe that Provider is in violation of the FCC's Open Internet Rules, you may file either an informal or formal complaint with the FCC. <http://esupport.fcc.gov/complaints.htm>

### **Additional Disclaimers**

The Open Internet Rules, as adopted, and Provider's Network Management Practices Policy are not intended to affect, alter or otherwise supersede the legal status of cooperative efforts by broadband Internet access service providers and other service providers that are designed to curtail infringement in response to information provided by rights holders in a manner that is timely, effective, and accommodates the legitimate interests of providers, rights holders, and end users.

Furthermore, the Open Internet Rules, as adopted, and Provider's Network Management Practices Policy do not prohibit Provider from making reasonable efforts to address the transfer of unlawful content or unlawful transfers of content.

For additional information, please review Provider's Acceptable Internet Use Policies on the website.