

CommuniComm Services Subscriber Privacy Notice for Cable Television, High-Speed Internet and Phone Services

Why is CommuniComm providing this notice to me?

As a subscriber to cable service or other service provided by CommuniComm, you are entitled under Section 631 of the Cable Communications Policy Act of 1984 (the “Cable Act”) to know the following:

- The limitations imposed by the Cable Act upon cable operators in the collection and disclosure of personally identifiable information about subscribers;
- The nature of personally identifiable information we collect;
- The nature of the use of personally identifiable information;
- Under what conditions and circumstance we may disclose personally identifiable information and to whom;
- The period during which we maintain personally identifiable information;
- The times and place at which you may have access to your personally identifiable information; and
- Your rights under the Cable Act concerning personally identifiable information and its collection and disclosure.

Personally identifiable information is information that identifies a particular person; it does not include aggregate data that does not identify a particular person or persons.

In addition, Section 702 of the federal Telecommunications Act of 1996, as amended, (the “Telecommunications Act”) provides additional privacy protections for certain information related to our phone services as provided by Big River Telephone:

- Information about the quantity, technical configuration, type, destination, location, and amount of your use of the phone services; and
- Information contained on your telephone bill concerning the phone services you receive.

That phone information, when matched to your name, address and telephone number is known as customer proprietary network information or CPNI for short. This notice, which contains our CPNI Policy, describes what CPNI information we obtain, how we protect it, and how it may be used. If you are a customer of our phone services, you have the right and CommuniComm has a duty, under the Telecommunications Act, to protect the confidentiality of CPNI. We will also honor any restrictions applied by state law, to the extent applicable. We explain below under “How do I give or withhold my approval for CommuniComm to use CPNI to market additional products or services to me?” how you can approve our use of CPNI or withdraw your approval.

Special Note: Our CPNI Policy applies to the communications-related services provided by CommuniComm Digital Phone and Big River Telephone.

In this notice, the terms “CommuniComm,” “we,” “us,” or “our” refer to the operating company of CommuniComm Services that owns and/or operates the cable television system in your area pursuant to a cable television franchise with the local franchising authority. The term “you” refers to you as a subscriber to our cable service or other service.

What kind of information does this notice apply to?

The Cable Act applies to personally identifiable information that you have furnished to CommuniComm, or that CommuniComm has collected using the cable system, in conjunction with the provision of cable service or other services. The Telecommunications Act applies to CPNI related to our phone services, and certain orders of the Federal Communications Commission apply the CPNI rules to our interconnected voice over Internet protocol communications services. This notice applies to our cable television service, our high-speed Internet service, and our phone services as provided for by applicable law and except as otherwise noted.

Special Note: This notice only covers information that is collected by CommuniComm in connection with the provision of our cable television service, our high-speed Internet

service, and our phone services to you as a subscriber to one or more of these services. It does not cover information that may be collected through any other products, services, or websites, even if you accessed through our services and even if co-branded with them. You should read the privacy policies for these other products, services, and websites to learn how they handle your personal information.

What kind of personally identifiable information does CommuniComm collect?

The Cable Act authorizes CommuniComm as a cable operator to use the cable system to collect personally identifiable information concerning any subscriber for the following purposes:

- In order to obtain information necessary to render our cable service or other services to our subscribers; and
- To detect unauthorized reception of cable communications.

The Cable Act prohibits us from using the cable system to collect personally identifiable information concerning any subscriber for any purposes other than those listed above without the subscriber’s prior written or electronic consent.

The Telecommunications Act authorizes us to use, disclose, or permit access to individually identifiable CPNI in our provision of:

- the telecommunications service from which the information is derived: or
- services necessary to, or used in, the provision of these services, including the publishing of directories.

The Telecommunications Act prohibits us from using CPNI for any purposes other than those listed above except as permitted or required by law or with your approval.

CommuniComm also collects certain personally identifiable information that our subscribers furnish to us in connection with the provision of cable service or other services. In order to provide reliable, high quality service to you, we keep regular business records containing information about you that may constitute personally identifiable information. These records include some, but not typically all, of the following information: your name, service address, billing address, e-mail address, telephone number, driver’s license number, social security number, bank account number, credit card number and other similar information.

With respect to phone services, examples of CPNI include information typically available from telephone-related details on your monthly bill, such as: location of service, technical configuration of service, type of service, quantity of service, amount of use of service, calling patterns, and other information contained on your bill for local and long distance services.

CPNI does not include your name, address and telephone number, because the Telecommunications Act classifies that information as “subscriber list information” which is not subject to certain protections as described below under “To whom may CommuniComm disclose personally identifiable information?”

We also collect and maintain certain other information about your account. For example, this information may include billing, payment and deposit history, service information, customer correspondence and communications records, maintenance and complaint information, records indicating the number of television sets and devices connected to our cable system, and the service options you have chosen. Additionally, if you rent your residence, we may have a record of whether landlord permission was required prior to installing our cable facilities as well as your landlord’s name and address.

When you use interactive or other transactional television services, the cable system automatically collects certain information on your use of these services. Most of this information is not personally identifiable information and it is simply used, for example, to carry out a particular request you make using your remote control or set top box. The information may include information required to change your television channel, review listings in an electronic program guide, and pause or fast forward through particular programs among other information. It may also include other information such as the time you actually use our services and the use of other features of our services, and which menus and menu screens are used most often and the time spent using them. In order to carry out a particular request you make to watch a pay-per-view program or pur-

chase a product or service, for example, the cable system may collect certain personally identifiable information. This information typically consists of account and billing related information such as the pay-per-view programs or other products and services ordered so that you may be properly billed for them.

We may also combine personally identifiable information, which we collect as described in this notice as part of our regular business records, with personally identifiable information obtained from third parties for the purpose of creating an enhanced database of business records. We may use this database and these business records in marketing and other activities related to our cable service and other services. We also maintain records of research concerning subscriber satisfaction and viewing habits, which are obtained from subscriber interviews and questionnaires.

How does CommuniComm use personally identifiable information?

We collect, maintain and use personally identifiable information as permitted by the Cable Act and the Telecommunications Act and other applicable laws. We use this information primarily to conduct business activities related to providing you with our cable service and other services, and to help us detect theft of service. Generally speaking we use personally identifiable information in connection with billing and collections, administration, surveys, marketing, service delivery and customization, maintenance and operations, and fraud prevention. More specifically, we also use personally identifiable information to:

- install, operate, provide and maintain our cable service and other services
- confirm you are receiving the levels(s) of service requested and are properly billed
- identify you when charges are made to your account or services
- inform you of new products and services that may be of interest to you
- understand the use of, and identify improvements, to our services
- detect unauthorized reception of our services
- determine whether applicable policies and terms of service are being violated
- configure cable service-related devices; and
- comply with the law.

The Telecommunications Act further permits CommuniComm and Big River Telephone to use, disclose, and permit access to CPNI obtained from our customers, either directly or indirectly, to:

- initiate, render, bill and collect for telecommunication services
- protect our rights and property, and protect our users of these services and other carriers from fraudulent, abusive, or unlawful use, of or subscription, to these services
- provide any inbound telemarketing, referral, or administrative services to you for the duration of the call, if you initiated the call and you approve of the use of this information to provide these services; and
- to provide call location information concerning the user of a commercial mobile phone service.

With respect to phone services, unless we obtain your approval in accordance with our policies described below under “How do I give or withhold my approval for CommuniComm to use CPNI to market additional products and services to me?” CommuniComm and Big River Telephone may not use CPNI to market products and services to you other than the phone services.

CommuniComm transmits, and may collect and store for a period of time, personally identifiable and non-personally identifiable information about you when you use our high-speed Internet and phone services to send and receive e-mail, video mail, and instant messages; transfer and share files; make files accessible; visit websites; place or receive calls; leave and receive voicemail messages; establish custom settings or preferences; communicate with us for support; or otherwise use the services and their features.

Our transmission, collection and storage of this information is necessary to render the services. In certain situations, third-party service providers may transmit, collect, and store this information on our behalf to provide features of our services. These third parties are not permitted to use your personally identifiable information except for the purpose of providing these features. We may also combine personally identifiable information, which we collect as described in this notice as part of our regular business records, with person-

ally identifiable information obtained from third parties for the purpose of creating an enhanced database or business records. We may use this database and these business records in marketing and other activities related to our cable service and other services. We also maintain records of research concerning subscriber satisfaction and viewing habits, which are obtained from subscriber interviews and questionnaires.

Does CommuniComm disclose personally identifiable information to others?

CommuniComm considers the personally identifiable information contained in our business records to be confidential. The Cable Act authorizes CommuniComm as a cable operator to disclose personally identifiable information concerning any subscriber for the following purposes if the disclosure is:

- necessary to render or conduct a legitimate business activity related to, the cable service or other services provided to the subscriber
- required by law or legal process (described below under “When is CommuniComm required by law to disclose personally identifiable information and CPNI by law?”) or
- of the names and addresses of subscribers for “mailing list” of other purposes (subject to each subscriber’s right to prohibit or limit this disclosure and the CPNI Policy described below under “How do I place myself on CommuniComm’s ‘do not call’ and ‘do not mail’ lists?”).

We may disclose personally identifiable information as provided for in the Cable Act when it is necessary to render, or conduct a legitimate business activity related to, the cable service or other services we provide to you. These kinds of disclosures typically involve billing and collections, administration, surveys, marketing, service delivery and customization, maintenance and operations, and fraud prevention, for example. We may also collect, use, and disclose information about you in non-personally identifiable or aggregate formats, such as ratings surveys and service usage and other statistical reports, which do not personally identify you, your particular viewing habits, or the nature of any transaction you may have made over the cable system. The frequency of any disclosure of personally identifiable information varies in accordance with our business needs and activities. The Cable Act authorizes CommuniComm as a cable operator to disclose limited personally identifiable information to others, such as charities, marketing organizations, or other businesses, for cable or non-cable “mailing lists” or other purposes. From time to time we may disclose your name and address for these purposes. However, you have the right at any time to prohibit or limit this kind of disclosure by contacting us by telephone at 1 800 392 2662 or by sending us a written request as described below in this notice. Any “mailing lists” and related disclosures that we may make are limited by the Cable Act to disclosures of subscribers names and addresses where the disclosures do not reveal, directly or indirectly, (i) the extent of any viewing or other use by the subscriber of a cable service or other service provided by use; or (ii) the nature of any transaction made by the subscriber over our cable system.

Who may CommuniComm disclose personally identifiable information to?

We may sometimes disclose personally identifiable information about you to our affiliates or others who work for us. We may also disclose personally identifiable information about you to outside auditors, professional advisors, service providers and vendors, potential business merger, acquisition, or sale partners, and regulators. We make these disclosures as provided for in the Cable Act. Typically, we make these disclosures when the disclosure is necessary to render, or conduct a legitimate business activity related to, the cable service or other services we provide to you. We may be required by law or legal process to disclose certain personally identifiable information about you to lawyers and parties in connection with litigation and to law enforcement personnel. We may also disclose certain personally identifiable information about you to third parties such as, for example, charities, marketing organizations, or other businesses, in connection with disclosures made for “mailing list” or other purposes as described above in this notice.

If we (or our parent company) enter into a merger, acquisition, or sale of all or a portion of our assets, subscribers personally identifiable information will, in most instances, be one of the items transferred as part of the transaction. If this notice will be changed as a result of a transaction like that, you should refer to the question below regarding changes to this notice.

When may CommuniComm disclose personal information to others in connection with phone service?

CommuniComm and Big River Telephone may disclose to others personally identifiable information in connection with features and services such as Caller ID, 911/E911, and directory services as follows:

- We may transmit your name and/or telephone number to be displayed on a Caller ID device unless you have elected to block such information. Please note that Caller ID blocking may not prevent the display of your name and/or telephone number when you dial certain business or emergency numbers, 911, 900 numbers or toll-free 800, 888, 877 or 866 numbers.
- We may provide your name, address, and telephone number to public safety authorities and their vendors for inclusion in E911 databases and records, inclusion in "reverse 911" systems, or to troubleshoot 911/E911 record errors
- We may publish and distribute, or cause to be published and distributed, telephone directories in print, on the Internet, and on disks. Those telephone directories may include subscriber names, addresses and telephone numbers, without restriction to their use.
- We may also make subscriber names, addresses, and telephone numbers available or cause such subscriber information to be made available, through directory assistance operators.
- We may provide subscribers' names, addresses, and telephone numbers to unaffiliated directory publishers and directory assistance providers for their use in creating directories and offering directory assistance services.
- Once our subscribers names, addresses, and telephone numbers appear in telephone directories or directory assistance, they may be sorted, packaged, repackaged and made available again in different formats by anyone.

We take reasonable precautions to ensure that non-published and unlisted numbers are not included in our telephone directories or directory assistance services, but we cannot guarantee that errors will never occur.

Can I prohibit or limit CommuniComm's use and disclosure of my personally identifiable information?

You may contact CommuniComm at any time to ask us to put your name on our "do not call" and "do not mail" lists so that you do not receive marketing or promotional telephone calls or mail from us or made at our request. You also have the right at any time to prohibit or limit disclosure of your personally identifiable information for "mailing list" or other purposes as described above in this notice by contacting us.

If you prefer to contact CommuniComm in writing instead of by telephone, you may send a written request to your local CommuniComm office. Be sure to include your name and address, your CommuniComm account number and a daytime telephone number where you can be reached in the event we have any questions about your request. The written request should be signed by the person who is identified in our billing records as the subscriber. If you have a joint account, a request by one party will apply to the entire account. If you have multiple accounts, your notice must separately identify each account covered by the request.

When is CommuniComm required to disclose personally identifiable information by law?

We make every reasonable effort to protect subscriber privacy as described in this notice. Nevertheless, we may be required by law to disclose personally identifiable information about a subscriber without his or her consent and without notice in order to comply with a valid legal process such as a subpoena, court order, or search warrant. The Cable Act requires CommuniComm as a cable operator to disclose personally identifiable information to a third party or governmental entity in response to a court order. If the court order is sought by a non-governmental entity, we are required to notify the subscriber of the court order. If the court order is sought by a governmental entity, the Cable Act requires that the cable subscriber be afforded the opportunity to appear and contest in a court proceeding relevant to the court order any claims made in support of the court order. At such a proceeding, the Cable Act requires the governmental entity to offer clear

and convincing evidence that the subject of the information is reasonably suspected of engaging in criminal activity and that the information sought would be material evidence in the case. In addition, under the authority of an administrative subpoena, state welfare agencies may obtain names, addresses, and certain other information of individuals as they appear in the subscriber records of cable companies with respect to those who owe, or are owed, welfare or child support, for example. This information may be obtained without a court order and does not require that a subscriber be given notice of and the opportunity to contest the disclosure.

We may also use or disclose personally identifiable information about you without your consent to protect our customers, employees, or property, in emergency situations, and to enforce our rights under our terms of service and policies, in court or elsewhere.

How does CommuniComm protect personally identifiable information?

We follow industry-standard practices to take such actions as are necessary to prevent unauthorized access to personally identifiable information by a person other than the subscriber or us. However, we cannot guarantee that these practices will prevent every unauthorized attempt to access, use, or disclose personally identifiable information.

How long does CommuniComm maintain personally identifiable information?

CommuniComm maintains personally identifiable information about you in our regular business records while you are a subscriber to our cable service or other services. We also maintain this information for a period of time after you are no longer a subscriber if the information is necessary for the purposes for which it was collected or to satisfy legal requirements. These purposes typically include business, legal or tax purposes.

If there are no pending requests, orders or court orders for access to this personally identifiable information, we will destroy the information after it is no longer necessary for the purposes for which it was collected.

Where and when can I see my personally identifiable information?

You may examine the personally identifiable information regarding you that is collected and maintained by CommuniComm in our regular business records. In most cases, the personally identifiable information contained in these records consists solely of billing and account information. You may examine these records at your local CommuniComm office upon reasonable notice to us and during our regular business hours. If you wish to examine these records, please contact us by mail or telephone, providing us a reasonable period of time to locate and, if necessary, prepare the information for review, and to arrange an appointment. You will only be permitted to examine records that contain personally identifiable information about you and no one else. We will correct our records if you make a reasonable showing that any of the personally identifiable information we have collected about you is inaccurate.

If you make an affirmative, written request for a copy of your CPNI, we will disclose the relevant information we have to you at your account address of record, or to any person authorized by you, if we reasonably believe the request to be valid. However, subscribers to our phone services should be aware that we generally do not provide them with records of any inbound or outbound calls or other records that we don't furnish in the ordinary course of business (for example, part of a bill) or which are available only from our archives, without valid legal process such as a court order. In addition, we cannot correct any errors in customer names, addresses, or telephone numbers appearing in, or omitted from, our or our vendor's directory lists until the next available publication of those directory lists. Further, we may have no control over information appearing in the directory lists or directory assistance services of directory publishers or directory assistance providers which are not owned by us or our subsidiaries or partners. CommuniComm reserves the right to charge you for the cost of photocopying documents that you request.

How do I give or withhold my approval to CommuniComm to use CPNI to market additional products and services to me?

From time to time, CommuniComm would like to use CPNI information we have on file to provide you with information about our communications-related products and services or special promotions. Our use of CPNI may also enhance our ability to offer products and services tailored to your specific needs.

We would like your approval so that we, our agents, affiliates, joint venture partners, and independent contractors may use this CPNI to let you know about communications-related services other than those to which you currently subscribe that we believe may be of interest to you. If you approve, you must affirmatively tell us by opting in to this use of CPNI. You may approve (and later deny or withdraw a prior approval) our right to use your CPNI for this purpose by calling the number listed below. Our CPNI Policy contained in this notice is effective January 1, 2010.

1-800-392-2662

CommuniComm also offers various other services that are not related to the services to which you subscribe. Under CPNI rules, some of those services, such as CommuniComm cable television services, are considered to be non-communications related products and services. Occasionally, you may be asked during a telephone call with one of our representatives for your oral consent to CommuniComm's use of your CPNI for the purpose of providing you with an offer for non-communications related products and services. If you provide your oral consent for CommuniComm to do so, CommuniComm may use your CPNI only for the duration of that telephone call in order to offer you additional services.

If you deny or restrict your approval for us to use your CPNI, you will suffer no effect, now or in the future, on how we provide any services to which you subscribe. Any denial or restriction of your approval remains valid until your services are discontinued or you affirmatively revoke or limit such approval or denial.

What e-mail communications will CommuniComm send to me and how do I manage them?

We may send a welcome e-mail and sometimes other information to new subscribers to our cable service and other services (including each new secondary account holder, where applicable). We may also send service-related announcements to our subscribers from time to time. For example, we may send you an e-mail announcement about a pricing change, a change in operating policies, a service appointment, or new features of one or more of the cable service or other services you receive from us. You may not opt-out of these service-related communications. If you fail to check your primary e-mail address for service related announcements, you may miss important information about our services, including legal notices, for example.

We reserve the right to send you promotional or commercial e-mail as permitted by applicable law. You can manage the promotional or commercial e-mails that CommuniComm may send to you by following the instructions contained in the emails.

What can I do if I think my privacy rights have been violated?

If you believe that you have been aggrieved by any act of ours in violation of the Cable Act, you may enforce the limitation imposed by us by the Cable Act with respect to your personally identifiable information through a civil lawsuit seeking damages, attorney fees, and litigation costs. Other rights and remedies may be available to you under federal or other applicable laws as well.

Will CommuniComm notify me if it changes this notice?

As required by the Cable Act, we will provide you with a copy of our subscriber privacy notice annually. We may modify this notice at any time. We will notify you of any material changes through written, electronic, or other means as permitted by law. If you find the changes unacceptable, you have the right to cancel service. If you continue to use the service following notice of the changes, we will consider that to be your acceptance of and consent to the changes.

1-800-392-2662
www.communicomm.com
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