

Duke Broadband Privacy Policy

Duke Broadband is committed to respecting and protecting the privacy of our customers. As discussed below, we have strict policies governing access by employees and others to customer communications and information. We access customer accounts, records or reports for authorized business purposes only. We educate our employees about their obligation to safeguard customer information and communications, and we hold them accountable for their actions. In short, privacy is a priority for Duke Broadband in all aspects of our business.

This Customer Privacy Policy is divided into four sections:

1. Section I describes several general principles that express Duke Broadband's commitment to assuring strong and meaningful customer privacy protection.
2. Section II describes specifically how Duke Broadband protects the confidentiality of Customer Proprietary Network Information (CPNI).
3. Section III describes Duke Broadband's "Do Not Call" practices, which are designed to protect our customers from unwanted telemarketing.
4. Section IV provides our contact information should you have any questions about this policy or Duke Broadband's privacy practices more generally.

PRIVACY POLICY

I – GENERAL PRIVACY PRINCIPLES

The following principles express Duke Broadband's commitment to assuring strong and meaningful customer privacy protection and are intended to guide Duke Broadband's efforts to balance customer privacy with customer interest in receiving quality services. These principles apply to our use of "individual" customer information – that is, information about specific customers. "Individual" customer information includes "personal information" – information particular to you, including your address, phone number, fax number and email address – and "non-personal information" that may include information such as your network traffic data, services and features used or call record details. These policies are fully consistent with applicable laws and regulations governing privacy, including the regulations of the Federal Communications Commission ("FCC"). Individual customer information is distinct from "aggregated" customer information, which does not reveal a customer's identity. Further, the examples provided below are intended to be illustrative, not all-inclusive.

1. Duke Broadband obtains and uses individual customer information for business purposes only.

Duke Broadband obtains and uses customer information that helps us to provide our customers with quality telecommunications services. In addition to supporting the direct provision of service, this information may be used to protect customers, employees and property against fraud, theft, or abuse; to conduct industry or consumer surveys; and to maintain good customer relations. Access to databases containing customer information is limited to employees who need that information to perform their jobs. These employees are required to follow strict rules when handling customer information and are subject to disciplinary action if they fail to do so.

In order to better serve our customers, we may ask them questions to elicit additional information about their special needs and interests. For example, we may ask whether customers work at home, whether any

members of the household have special needs, or whether teenagers reside in the household in order to determine whether customers may be interested in or might benefit from additional lines or services. In all cases, the information we gather is used to facilitate the provision of quality customer service. We do not share this information with third parties to market non-Duke Broadband services to our customers.

2. Duke Broadband collects information from customers in a number of different ways.

Duke Broadband may collect information from you through communications such as via the web, or by phone, email or mail delivery, or through the services provided to you as the customer.

You may visit our site without divulging any personal information; however, there are areas of this site that might require personal information in order to contact Duke Broadband directly, specifically, when registering emails, obtaining remote access, and contacting online technical support.

Information may also be collected in the following ways:

Browsing Our Site

- IP addresses may be collected for the purposes of system administration, to gather broad demographic information, and to monitor the level of activity on our site.
- Information may be collected regarding the referring URL, which browser you used to come to our site, and the pages of our site that you viewed during your visit and any search terms entered on our site.
- Emails may be sent by the customer to Duke Broadband on this website. Duke Broadband may retain the information in any email that you send to us, such as your name, email, address, or telephone number.

Broadband Internet Service

- Duke Broadband may monitor the network and take measurements of network performance and the performance of your Internet connection to improve the customer's, or Duke Broadband's, overall service levels.
- During communications with Duke Broadband for service support, we may also access information about your customer premise equipment such as computers and wireless modem devices or other device settings to provide customized technical support or to install specific applications or services for your use.
- Duke Broadband reserves the right to access broadband traffic from individual accounts for the purposes of general maintenance and management of the network, as well as upon request by law enforcement officials.

Provision of Information by Third Parties

- Duke Broadband may obtain credit information about you from third parties when you purchase products or services from Duke Broadband.
3. Duke Broadband informs customers how information Duke Broadband obtains about them is used, as well as their options regarding its use.

Duke Broadband uses customer information in a transparent fashion and discloses to customers the types of information Duke Broadband obtains about them how and when that information is used, when that information might be disclosed, the stringent measures we employ to protect that information, and ways that customers can restrict the use or disclosure of that information. This Privacy Policy is available on our

website at <http://www.DukeBroadbandFast.com> and from Duke Broadband service representatives.

4. Duke Broadband gives customers opportunities to control access by others to customer information and how Duke Broadband uses individual information about them.

Duke Broadband is committed to providing customers with methods to control how Duke Broadband uses customer information about them. Customers can express a preference not to be called for marketing purposes (please see Section III, below, for more information on Duke Broadband's "Do Not Call" policy). Customers may also opt out of our direct mailings and other service marketing programs. (Please see Section II, below, for information on Duke Broadband's policy on the use of "Customer Proprietary Network Information"). A customer may indicate a change in such preferences at any time by contacting Duke Broadband customer service.

We do use individual customer information internally for planning purposes – so that we can, for example, develop, test and market new products and services that meet the needs of our customers. Ordinarily, such information is combined into aggregations that do not include individual customer identities. Under certain circumstances, we are required by law to disclose the aggregated information to other companies, but in such cases customer identities are not included.

5. Duke Broadband enables customers to control how Duke Broadband discloses individual information about them to other persons or entities, except as required by law or to protect the safety of customers, employees or property.

Ordinarily, Duke Broadband will only share individual customer information with persons or entities outside the company to assist us in the provision of services to which the customer subscribes. We do not use third-party marketers, nor do we share access to individual customer information derived from the provision of Duke Broadband telecommunications services with other companies interested in marketing other services to our customers – and we would not do so without the consent of the customer. Duke Broadband is committed to ensuring that customer information is not used without the knowledge and permission of our customers.

However, there are exceptions to our general practice. For example, unless you request otherwise, we may share certain personal or non-personal information with our affiliated companies with whom we have established business relationships. In addition, if Duke Broadband enters into a merger, acquisition, or sale of all or a portion of its assets, a customer's personally identifiable information will, in most instances, be transferred as a part of the transaction, subject to required notices to affected customers. In addition, we may, where permitted by law, provide information to credit bureaus, or provide information and/or sell receivables to collection agencies, to obtain payment for Duke Broadband billed products and services.

6. Duke Broadband strives to ensure that the information we obtain and use about customers is accurate.

Duke Broadband is committed to ensuring that the information we obtain and use about customers is accurate. To that end, we strive to verify that our customer records are correct. Customers who find an error in their Duke Broadband bills are encouraged to notify Duke Broadband. Duke Broadband's service representatives will answer customer questions about, and to give customers reasonable access to, the

information we have about them. Our service representatives will also provide explanations of how such information is used and how to correct any inaccuracies if they occur.

In addition to reviewing their bills, customers can access their customer information by contacting Duke Broadband customer service. However, Duke Broadband will only provide customer information after properly authenticating the identity of the requesting "customer" in accordance with applicable law and industry best practices. In this way, Duke Broadband can maximize the ability of its customers to review their customer information for accuracy while minimizing the risk that this information falls into the wrong hands. Duke Broadband service representatives can explain how customers may be authenticated to obtain access to their own customer information.

7. All Duke Broadband employees are responsible for safeguarding individual customer communications and information.

Duke Broadband takes reasonable precautions to protect your personal information against unauthorized access. Duke Broadband requires its personnel to be aware of and protect the privacy of all forms of customer communications as well as individual customer records. Duke Broadband makes clear that employees who fail to comply with its privacy policies will face disciplinary action, which can include dismissal. All employees are trained regarding their responsibilities to safeguard customer privacy. We strive to ensure that information we have about our customers is accurate, secure and confidential, and to ensure that our employees comply with our privacy policy.

We never tamper with, intrude upon or disclose the existence or contents of any communication or transmission, except as required by law or the proper management of our network. Access to databases containing customer information is limited to employees who need it to perform their jobs – and they follow strict guidelines when handling that information. We use safeguards to increase data accuracy and to identify and authenticate the sources of customer information. We use locks and physical security measures, sign-on and password control procedures, and internal auditing techniques to protect against unauthorized use of terminals and entry into our data systems. Duke Broadband requires that records be safeguarded from loss, theft, unauthorized disclosure, and accidental destruction.

In addition, sensitive, confidential, or proprietary records are protected and maintained in a secure environment. It is our policy to destroy records containing sensitive, confidential, or proprietary information in a secure manner. Hard copy confidential, proprietary, or sensitive documents are made unreadable before disposition or recycling, and electronic media must be destroyed using methods that prevent access to information stored in that type of media. Just as employees would report stolen property, missing records and suspicious incidents involving records are referred to Duke Broadband Management. We encourage our employees to be proactive in implementing and enforcing Duke Broadband's privacy policies. If employees become aware of practices that raise privacy or security concerns, they are required to report them to their supervisors.

Duke Broadband's regulatory department is responsible for ensuring that all

Duke Broadband business units and their employees comply with privacy laws and regulations. Duke Broadband also requires any consultants, suppliers and contractors that may come into contact with CPNI to observe these privacy rules with respect to any of our customers'



individual customer information. They must abide by these principles when conducting work for us, and they will be held accountable for their actions.

Duke Broadband also takes special care to protect the safety and privacy of young people using its services. Duke Broadband does not knowingly collect information about children. Duke Broadband believes that children should get their parents' consent before giving out any personal information. Duke Broadband encourages parents and legal guardians to participate in their child's experience using Duke Broadband's services. Children should always ask a parent for permission before sending personal information to Duke Broadband.

While we have made significant efforts to protect your personal information, we cannot ensure or warrant the security of any information you transmit to us, and you do so at your own risk. Unfortunately, no data transmission over the Internet can be guaranteed to be 100% secure and we will not be held liable should a third party illegally obtain your personal information via Internet transmission.

8. Duke Broadband participates in and supports consumer, government, and industry efforts to identify and resolve privacy issues.

We participate in legislative and regulatory proceedings, industry association efforts, consumer group efforts, and general business group activities relating to telecommunications privacy issues. Our Industry Affairs personnel are responsible for the coordination of Duke Broadband's public policy participation.

9. Duke Broadband complies with all applicable privacy laws and regulations wherever Duke Broadband does business.

Customer and policymaker perceptions of privacy have changed over time and will continue to do so. Changes in technology can also alter what is appropriate in protecting privacy. Laws may change accordingly. We regularly examine – and update as necessary – Duke Broadband's privacy policies and internal procedures to ensure compliance with applicable law and evolving technology. Duke Broadband also will monitor customer needs and expectations. Duke Broadband will work with policymakers and consumers to ensure that we continue to safeguard privacy, giving customers choices, flexibility and control. Duke Broadband considers privacy laws and regulations to be the minimum standards to which we will adhere in protecting privacy. In addition to complying with the law, Duke Broadband will adhere to its internal privacy policies and procedures wherever we do business.

10. Duke Broadband complies only with valid, properly issued, and legally enforceable third-party requests for access to customer information.

Duke Broadband may release customer information in response to requests from governmental agencies, including law enforcement and national security agencies, in accordance with federal statutory requirements or pursuant to court order. Before releasing any customer information, Duke Broadband will ensure that the underlying governmental request satisfies all procedural and substantive legal requirements and is otherwise proper. For example, Duke Broadband will ensure that any court orders are valid, properly issued, and legally enforceable. Except as required by law or with the approval of the customer, Duke Broadband will not release any customer information in response to subpoenas or similar requests issued by private parties. Further, Duke Broadband will be diligent in authenticating the validity of

any "governmental" request to ensure that the request actually originates from an authorized government agency.

SECTION II – USE OF CUSTOMER PROPRIETARY NETWORK INFORMATION

Customers count on Duke Broadband to respect and protect the privacy of information we obtain in the normal course of providing telecommunications services to our customers. Duke Broadband is committed to protecting the privacy of all customer information, and in particular the privacy of customer proprietary network information (or CPNI).

1. Definition of "Customer Proprietary Network Information."

The term "customer proprietary network information" is defined by federal statute to mean: (i) information that relates to the quantity, technical configuration, type, destination, location, and amount of use of a telecommunications service subscribed to by any customer of a telecommunications carrier, and that is made available to the carrier by the customer solely by virtue of the carrier-customer relationship; and (ii) information contained in the bills pertaining to telephone exchange service or telephone toll service received by a customer of a carrier.

2. Use of Customer Proprietary Network Information.

Under federal law, you have the right to, and we have the duty to protect, the confidentiality of your CPNI. However, we may use CPNI without your consent, in a manner consistent with applicable law, to: (i) initiate, render, bill, and collect for our services; (ii) market services among the categories of service to which you already subscribe; (iii) provide inside wiring installation, maintenance, and repair services; (iv) provide maintenance and technical support for our services; (v) protect our rights and property, and protect users of our services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, these services; and (vi) provide any inbound telemarketing, referral, or administrative services for the duration of a customer-initiated call.

Further, after providing you with the required notice and opportunity to "opt out," we may use your CPNI, in a manner consistent with applicable law, to market additional communications-related services to you and conduct surveys in order to improve our service offerings.

Duke Broadband will not use your CPNI for purposes other than those described above unless we first obtain your express "opt in" consent. For example, without such consent we will not use CPNI to market services not provided by Duke Broadband and will not share your CPNI with third parties (subject to the limitations discussed below).

3. Limits on the disclosure of CPNI outside Duke Broadband.

As a general rule, Duke Broadband does not use third-party marketers and will not disclose your CPNI to third party contractors without your explicit "opt in" consent. This means that our records of the services you buy and the calls you make generally will remain private if you choose to keep them so, since we will not ordinarily disclose this information to outside parties without your permission. However, we will release customer information without involving you if disclosure is required by law, or necessary to protect the safety of customers, employees or property. For example: When you dial 911, information



about your location may be transmitted automatically to a public safety agency.

Certain information about your long distance calls may be transmitted to your long distance company for billing purposes.

We will disclose information as necessary to comply with law enforcement statutes, such as to comply with valid, properly issued, and legally-enforceable subpoenas, warrants and court orders.

We may, where permitted by law, share CPNI with third parties where necessary to provide the services to which you subscribe, to protect our rights or property, and to protect users of our services and other carriers from fraudulent, abusive or unlawful use of services.

We may, where permitted by law, provide CPNI to third parties such as credit bureaus, or sell receivables to collection agencies, to obtain payment for Duke Broadband billed products and services.

4. Authentication to prevent unauthorized access to CPNI.

Duke Broadband is committed to ensuring that only properly authorized individuals are able to access CPNI for legitimate purposes. This includes ensuring that any request by a “customer” to access CPNI is valid and properly authenticated, in accordance with applicable law and industry best practices. In general, our internal policies and procedures are designed to ensure that CPNI is not released to unauthorized individuals.

Further, if a “customer” calls us to access “call detail records” (which include the number called, the number from which a call was placed, and the time, location, or duration of any call), we will not release those records unless (i) during the call, the customer provides a pre-established password; (ii) the information is sent to the customer’s address of record; or (iii) after the call, we call the customer’s telephone number of record to provide the requested information. If a “customer” attempts to access CPNI through our website, we will only provide such access if the customer has first established a password and back-up authentication mechanism for the relevant account, in a manner that does not rely on readily available biographical or account information. If a “customer” attempts to access CPNI by visiting a retail location in person, we will only provide such access if the “customer” presents valid photo identification matching the name of record on the account. (Note that different procedures may apply to certain business customers served by a dedicated account representative where the underlying service agreement addresses CPNI protection and authentication.) We also will notify you at your address of record if anyone changes the access authorization or authentication information associated with your account.

5. Notice of unauthorized access to CPNI.

As a company, we are vigilant in our efforts to protect your CPNI. However, should we become aware that your CPNI has been accessed without proper authority, we will take swift action to fully document and address such unauthorized access and provide appropriate notice. In particular, we will (i) notify law enforcement (including the United States Secret Service and the Federal Bureau of Investigation) within seven business days; and (ii) notify you and any other affected customers within seven business days thereafter, unless earlier notification is necessary to avoid immediate and irreparable harm, or we are instructed by law enforcement personnel to refrain from providing such notice.

SECTION III – DUKE BROADBAND’S “DO NOT CALL” LIST

Any Duke Broadband customer can express a preference not to be called by us for marketing purposes, and Duke Broadband will respect such preference. A customer that does not wish to receive sales calls from Duke Broadband specifically may ask to be placed on our company specific “Do Not Call” list. We will note the customer’s request immediately, although it may take up to 30 days for the customer’s telephone number to be removed from any active lists or sales programs that are currently underway.

Any customer can ask to be put on our “Do Not Call” list by contacting Duke Broadband’s customer service department. All customers should call (833) 444-3853. The requesting customer should provide, at a minimum, the telephone number and/or email address that is the subject of the request, although inclusion of the customer’s name and address is also useful. If a customer is served by multiple telephone numbers, the customer should tell us all numbers that should be placed on the “Do Not Call” list.

A residential customer will remain on our “Do Not Call” list for five years, and a business customer will remain on our “Do Not Call” list for one year, unless the customer asks to be removed from the list by contacting our customer service department. If a customer’s telephone number ever changes, the customer must give us updated information for the “Do Not Call” status to remain in effect.



Notwithstanding the fact that a customer's telephone number is on our "Do Not Call" list, we may still contact that customer with respect to surveys, billing, and other service-related matters. Further, the customer should understand that being on our "Do Not Call" list will not prevent calls from other companies unaffiliated with Duke Broadband.

SECTION IV – FURTHER INFORMATION

Duke Broadband reserves the right to change, modify or update this Privacy Policy at any time without notice. In the event of any modification, we will post the changes in this Privacy Policy so that you will always know what information we are gathering and how we might use that information. However, if such changes are material, we will either announce the change on the home page of the site or take such other action as we deem appropriate under the circumstances. Accordingly, you should periodically visit this page to determine the current Privacy Policy to which you are bound.

If you have any questions or comments concerning this Customer Privacy Policy, or if you believe that the Company has not adhered to its privacy policy, please contact Duke Broadband's customer service department. You may contact Duke Broadband via regular mail at:

Duke Broadband 1341 S Range Road, MI 48079

