

OPEN INTERNET DISCLOSURE STATEMENT

KINEX TELECOM, INC. (“COMPANY”) PROVIDES THE FOLLOWING DISCLOSURES WHICH ARE INTENDED TO PROVIDE INFORMATION REGARDING THE NETWORK MANAGEMENT PRACTICES, PERFORMANCE, AND COMMERCIAL TERMS OF COMPANY’S INTERNET ACCESS SERVICES SUFFICIENT FOR CONSUMERS TO MAKE INFORMED CHOICES REGARDING THE USE OF SUCH SERVICES AND FOR CONTENT, APPLICATION, SERVICE, AND DEVICE PROVIDERS TO DEVELOP, MARKET AND MAINTAIN INTERNET OFFERINGS. THESE DISCLOSURES SHOULD BE READ IN CONJUNCTION WITH COMPANY’S “ACCEPTABLE USE POLICY” (“AUP”), AVAILABLE AT <https://kinextel.net/terms/>

Network Management. Company seeks to provide subscribers with a consistently high-quality online experience. The bandwidth and network resources employed to deliver high-speed Internet service are limited and shared among users and thus it is essential that Company be able to efficiently manage our network in a manner that is designed to deliver the greatest benefit to the greatest number of subscribers. To this end, we can and do employ various “network management” tools and techniques that are commonly used in the industry to protect consumers from activity that can unreasonably burden our network and may cause service degradation, including security attacks and network congestion.

These network management tools and techniques may include detecting malicious traffic patterns and preventing the distribution of viruses or other malicious code, limiting the number of peer-to-peer sessions a user can conduct at the same time, limiting the aggregate bandwidth available for certain usage protocols such as peer-to-peer and newsgroups, rate limiting of email, rejection or removal of “spam” or otherwise unsolicited bulk email, port blocking, measuring subscriber bandwidth usage, bandwidth allowances, traffic prioritization and other tools and techniques as Company may from time to time determine are appropriate. New network management techniques are being developed on an ongoing basis and Company may elect to use some or all available network management techniques on a temporary or as-needed basis.

The network management tools and techniques employed by Company do not and will not target specific usages or applications (such as peer-to-peer) and instead focus in a content-neutral manner on bandwidth usage in real time, with the goal of providing reasonable and equitable access to the network for all similarly situated customers. In other words, to the extent that the use of network management practices may affect the performance or other characteristics of Internet service, they are designed to affect all similarly situated customers equally.

The use of network management tools and techniques to conserve bandwidth may cause certain users to notice slower Internet performance, such as longer download and upload times or slower responses while surfing the Internet or playing games. The effects of network management typically will be noticeable only for a brief period of time, if at all. While it is not possible to predict in advance precisely when Company will determine that conditions warrant the activation of various network management tools and techniques or the impact such techniques may have on performance or other characteristics of Internet service, Company anticipates, based on its experience and that of others in the industry, that use of network management tools and techniques will be rare.

Company does not discriminate against or block you or other users of its service from sending and receiving the lawful content of their choice; running lawful applications and using lawful services of their choice; or connecting their choice of legal devices, provided that such applications and services are able to interoperate with the Company’s equipment, do not harm the network or the provision of Internet access service, facilitate theft of service, or harm other users of the service. Similarly, Company does not impair or degrade particular content, applications, services or non-harmful

devices so as to render them effectively unusable, subject to the reasonable network management practices outlined herein. Company does not throttle traffic or allow any affiliated or paid prioritization. If congestion occurs, only voice is prioritized, and it is a first in/first out congestion algorithm. Other traffic will be slowed/dropped until the congestion alleviates itself.

As described above, Company reserves the right to employ network management practices, e.g., to prevent the distribution of viruses or other malicious code, as well as to block, in accordance with applicable law, transfer of unlawful content such as child pornography or the unlawful transfer of content.

Company also employs certain practices to protect the security of our customers and our network from unwanted and harmful activities. Company monitors equipment for port scans, authentication attacks (login, dictionary and otherwise) and a variety of other attempts to access our equipment network. Company has automated systems that alert to unauthorized access. Automated systems are in place to deny access to remote IP addresses. Remote system administrators are alerted of possible compromised systems and/or attacks. When security measures are employed, they may affect performance characteristics of service or the ability to access certain suspicious websites, but such measures are employed in a manner designed to have non-discriminatory impact on all similarly situated customers.

Performance Characteristics. Company provides fiber optics, DSL and what is known as a “fixed broadband” Internet access service designed to provide the capability to transmit data to and receive data from all or substantially all Internet end points. Fiber Optic and DSL are considered acceptable for VoIP traffic (wireless is too jittery for consistent service). This does not affect last-mile capacity or capabilities. There may be some impact on traffic but is minimal (less than 5% impact). Company offers multiple packages of Internet access service for residential or commercial use with speeds of 768 kb/s x 384 kb/s up to 1Gb x 1Gb, features and bandwidth usage limitations that may affect the suitability of such service for real-time applications. Speeds offered are actual and within 95% of the advertised speed. The features, pricing and other commercial terms of our service offerings are modified from time to time, and not all packages are available in all areas. Each package is priced to reflect the particular speed, features and bandwidth usage limitations of that package. Full descriptions of currently available packages and pricing can be wuoted on the Company’s website at <https://kinextel.net/>.

Tools for subscribers to measure Internet performance are available at websites like <http://fast.com> or <http://www.speakeasy.net/speedtest/>.

[Note that the results of these tests can and are influenced by a subscriber’s home network configuration and equipment and may have built-in biases and flaws. Consequently, the results of these tests should not be regarded as precise measurements of performance or as guarantees.]

Advertised speeds and other performance characteristics are subject to numerous factors including variances in network usage and third-party inputs, and thus are provided on a best efforts basis and cannot be guaranteed. Among the factors that may impact the actual speed that a subscriber experiences are (i) the capabilities and capacities of the customer’s computer and/or local area network (LAN) devices such as wireless routers; (ii) latency (i.e., the time delay in transmitting or receiving packets as impacted in significant part by the distance between points of transmission); (iii) the performance of the content and application providers the consumer is accessing, such as a search engine or video streaming site; and (iv) performance characteristics of transmissions over portions of the Internet that are not subject to Company’s control. Additionally, the Company’s services are offered, in part, over unlicensed frequencies that are sometimes also used by unaffiliated, third party providers and users, and while infrequent, those entities use of such frequencies may impact the performance characteristics of Company’s at particular times.

Company currently devotes portions of its broadband network to services other than Internet service and Company may introduce additional such services in the future. Examples of such “specialized

services” include voice/VoIP (phone) and video offerings. [Because all specialized services offered by Company are provided on discrete portions of our network, separate and apart from the bandwidth devoted to Internet service, our specialized service offerings will not impact the capacity available for, or performance of, the broadband Internet service provided.]

Commercial Terms. As noted above, Company offers multiple service options, the pricing and other terms and conditions of which can be found at <https://kinextel.net/>. Nothing herein is intended to supersede or modify any of the terms and conditions of service as applicable to a particular customer. Internet packages are offered as part of a service contract between you and the Company. The duration of these service contracts varies. In the event that a service contract is terminated by the customer prior to its specific end date, the customer may be responsible for payment of an early termination fee in the amount of the remainder of the contracted balance plus any fees assessed by the carrier and/or described in customer’s contract with the Company.

Your privacy is very important to us. Personal information you provide to Company is governed by the Company’s Privacy Policy, which is posted on Company’s Website at <https://kinextel.net/privacy/> and is subject to change from time to time. Company does not store customer browsing history. Network traffic is inspected only when there is an outage/impairment issue. Personal information provided by you to the Company is used primarily to provide a customized experience as you use our services and is only shared with third parties when required by law. Company reserves the right, as required or permitted by law, to provide account and user information, including email, to law enforcement authorities in the investigation of any criminal or civil matter. Such cooperation may include, but is not limited to, monitoring of Company’s network consistent with applicable law.

Complaints, concerns and questions about the Company’s network management practices may be directed to our Customer Service Department, which can be contacted as follows:

Kinex Telecom, Inc.
Attn: Customer Service
717 East Third Street
Farmville, VA 23901
Customer Service: 434-392-4804
<https://kinextel.net/>

Company provides a support line for both technical and billing where customers may speak to a live person 8-5:30 M-F ET and 9-1:00 p.m. on Saturdays at the above number or toll free at 888-392-4804. Customers may e-mail to reach out for 24x7 support.

Support FAQ’s and a self-service portal are provided from the main website: <https://kinextel.net/>

In addition, the Federal Communications Commission has established processes for addressing formal and informal complaints. For more information, see <http://www.fcc.gov/guides/getting-broadband>.