

## METRONET BROADBAND INTERNET SERVICE DISCLOSURES

Consistent with FCC regulations,<sup>1</sup> MetroNet provides the following disclosures about our broadband services and network practices.

### NETWORK PRACTICES

**General Description.** MetroNet is a fiber-to-the premises (FTTP) company that provides fiber based voice, video, Internet and related broadband services to residential and business subscribers. Our goal is to provide the highest quality broadband services possible. Accordingly, we have enacted and utilize reasonable network management practices to improve the overall performance of our network for the benefit of all end-users. Our network practices are nondiscriminatory and consistent with FCC regulations and applicable law. Over time, we may change and modify our network management practices to keep current with changes and trends in technology. We will update this disclosure as necessary to incorporate any additional changes.

**Related Documents and Disclosures.** The following documents contain important information on our broadband services. From time-to-time, we update these documents and attempt to notify our end-users of these changes. End-users are also encouraged to review these documents periodically.

- MetroNet's Acceptable Use and Privacy Policy, available at [https://www.metronetinc.com/pdf/metronet\\_aupp.pdf](https://www.metronetinc.com/pdf/metronet_aupp.pdf).
- MetroNet's Terms and Conditions of Service, available at [https://www.metronetinc.com/pdf/metronet\\_terms.pdf](https://www.metronetinc.com/pdf/metronet_terms.pdf).
- MetroNet's Terms and Conditions of Service Addendum (Business), available at [https://www.metronetinc.com/pdf/metronet\\_business\\_terms\\_addendum.pdf](https://www.metronetinc.com/pdf/metronet_business_terms_addendum.pdf).

**Congestion Management.** We constantly monitor the traffic traveling over our all fiber network to ensure we always have enough capacity to provide high quality Internet services to our end-users. The network traffic we monitor is generated from the voice, video and Internet services we provide to end-users. Our congestion monitoring activities do not target any specific content, application, website, or end-user. Rather, we analyze aggregate traffic patterns and trends. Because of the incredible capacity of our all fiber network we do not typically experience traffic congestion issues. As network traffic patterns dictate, we strive to deploy more capacity in our network well in advance of end-users experiencing degradation in their service levels resulting from congestion. In the rare event that traffic congestion was to affect a group of end-users, they would likely experience slower upload and download speeds as well as general

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<sup>1</sup> 47 C.F.R. § 8.3; *Preserving the Open Internet, Broadband Industry Practices, Report and Order*, 22 FCC Rcd 17905 (2010); *Protecting and Promoting the Open Internet*, Report and Order on Remand, Declaratory Ruling, and Order, 30 FCC Rcd 5601 (2015).

responsiveness from Internet websites and/or other on-line content. During any period of congestion, we will not block an end-user's access to any lawful Internet content, services or applications. We currently do not monitor specific end-user network traffic. However, consistent with our Terms and Conditions and Acceptable Use and Privacy Policy, we reserve the right to limit, modify or prohibit an end-user's access to our network to prevent abusive, illegal or other conduct that may affect the integrity of our network or expose us to damages or legal liability.

**Application-Specific Practices.** MetroNet provides its customers with full access to any lawful Internet content, services or applications. While doing so, MetroNet also employs standard industry tools and generally accepted practices and policies to help protect our network from harmful content and activities.

**Device Attachment Rules.** MetroNet places no general restrictions on lawful devices that a customer may connect to our network, so long as the device is: (i) compatible with our network; and (ii) does not harm our network or other users. If a wireless router is connected to our broadband Internet service, wireless Internet compatible devices properly connected to the router including computers, tablets, smartphones, and other devices can connect to our network.

**Network and End User Security.** MetroNet employs a number of measures to secure our network. This includes blocking known hostile ports in an effort to prevent unwanted files, browser hacking and virus attacks. However, customers utilize Internet services at their own risk and the Company does not guarantee it can protect end-users from any or all security breaches.

## **PERFORMANCE CHARACTERISTICS**

**General Service Description.** Our broadband Internet access service enables residential and business subscribers to access all lawful content, applications, and services of their choice available on the Internet via an Internet-enabled device through either a wired or wireless connection. We deliver our all fiber services directly to the premises. Customers access our network via cabling connected directly to a router or other internet device.

No Internet service provider can guarantee a specific speed at all times – the actual speed a customer will experience while using the Internet depends on a variety of conditions. These can include the customer's computer, the customer's home network configuration, or the performance of the website visited.

### **Expected and Actual Speeds and Latency.**

**Expected Performance.** We offer customers a variety of broadband Internet service levels. We provide a description of the expected maximum transfer speeds associated with each service level on our website, available at

<https://www.metronetinc.com/internet> (residential service) and <https://www.metronetinc.com/business/internet/> (business service).

Speed. The speeds we identify for each broadband Internet service level are the maximum upload and download speeds that customers are likely to experience. We provision our customers' Internet service and engineer our network to deliver the speeds to which our customers subscribe. However, we do not guarantee that a customer will actually achieve those speeds at all times. A variety of factors can affect upload and download speeds, including customer equipment, network equipment, congestion beyond our network, performance issues with an Internet application, content, and more.

Latency. Latency is a term that refers to the time it takes for information to travel between your computer and your Internet destination. Latency is typically measured in milliseconds, and generally has no significant impact on typical everyday Internet usage. As latency varies based on any number of factors, most importantly the distance between a customer's computer and the ultimate Internet destination (as well as the number and variety of networks your packets cross), it is not possible to provide customers with a single figure that will define latency as part of a user experience.

Actual speed and latency performance. The actual speed and latency experienced by individual users may vary depending upon network conditions and other factors. Actual performance of our broadband Internet service in most cases will conform to national wireline broadband Internet speed and latency levels reported by the FCC.<sup>2</sup> The FCC has reported ISP subscribers receive mean download speeds that are 105.6% of advertised speeds, and mean upload speeds that are 113.2% of advertised speeds. In addition, the FCC has reported that latency<sup>3</sup> delays for terrestrial-based ISPs range from about 14 to 52 milliseconds.

**Customer Speed Test.** We provide an online speed test for our customers, available at <http://metronetinc.speedtest.net/>.

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<sup>2</sup> See FCC's Office of Engineering and Technology and Consumer Affairs Bureau, *2015 Measuring Broadband America Fixed Broadband Report, A Report on Consumer Fixed Broadband Performance in the U.S.*, (Dec. 30, 2015) (available at <https://www.fcc.gov/reports-research/reports/measuring-broadband-america/measuring-broadband-america-2015>).

<sup>3</sup> The FCC has defined latency is the total length of time it takes a signal to travel from an origination point to the nearest server, plus the time for an acknowledgement of receipt to travel back to the origination point. The nearest server is the server providing the minimum round trip time.

**Suitability of the Service for Real-time Applications.** Our broadband Internet access service is suitable for typical real-time applications, including messaging, voice applications, video chat applications, gaming, and Internet video. If users or developers have questions about particular real-time applications, please contact us at [www.metronetinc.com/contact](http://www.metronetinc.com/contact).

**Non-Broadband Internet Access (BIAS) Data Services.**

Non-BIAS Data services offered to end users. We offer several managed or “non-BIAS data” services over our network, sharing network capacity with other high speed Internet services. Managed non-BIAS data services include Voice over Internet Protocol (VoIP), Internet Protocol video, and dedicated bandwidth to high volume business users.

Effects of non-BIAS data services on availability and performance of broadband Internet access service. During the rare cases when traffic congestion occurs, voice traffic and IPTV services are assigned a higher priority until the congestion clears. End-users may experience slower Internet services during these times; however, we will not block access to any lawful Internet content, services or applications.

**COMMERCIAL TERMS**

**Residential Pricing.** MetroNet changes the pricing of its residential Internet services periodically. Our current residential pricing can be found on our website at <https://www.metronetinc.com/internet>. Our residential Internet service is offered on a month-to-month basis with no early termination penalties. We currently do not charge any fees for usage, but reserve the right to impose additional fees for excessive network usage. In addition to our Internet services, residential end-users may purchase the additional network services set forth below. End-users may also be subject to other charges related to the installation of their Internet service as well as recurring taxes, fees and surcharges. Our website order entry system provides end-users with an accurate summary of all of their one-time and recurring charges at the point of sale including a mock-up of their first monthly bill.

<b>Service</b>	<b>Price*</b>
Tech Home (Virus Protection, Spam Filter)	\$ 9.95
Tech Home Advanced (Virus Protection, Spam Filter, data backup)	\$14.95

\* Prices and Service offerings are subject to change and/or discontinuance)

**Business Pricing.** Pricing for all business level Internet and related network services are quoted independently by our business sales representatives. As set forth in our Business Terms and Conditions, we reserve the right to impose a charge for early termination by a business end-user. We currently do not charge any fees for usage, but reserve the right to impose additional fees for excessive usage. Business end-users

may also be subject to other charges related to the installation of their Internet service as well as recurring taxes, fees and surcharges.

**Privacy Policies.** We collect and store information from many sources as it relates to providing and maintaining service to our customers. Individually identifiable customer information, including usage data obtained in our role as your broadband Internet access service provider is only used to provide the service, improve your use of the service, manage our network, or as otherwise required or authorized by law.<sup>4</sup>

We do not disclose individually identifiable broadband Internet access service customer or use information to third parties except: (i) as necessary to provide our broadband Internet service and to manage our network; or (ii) in response to law enforcement requests, subpoenas, court orders, or as otherwise required or authorized by law.

For more information on our additional subscriber privacy policies, please visit our website at [https://www.metronetinc.com/pdf/metronet\\_aupp.pdf](https://www.metronetinc.com/pdf/metronet_aupp.pdf).

**Storage of network traffic information.** Dynamic Host Configuration Protocol (DHCP) information is a code included in all network traffic that associates that traffic with a particular device sending or receiving the traffic. We store DHCP information for at least 6 months.

**Provision of aggregate or anonymized network traffic information to third parties.** We may disclose aggregate or anonymized network traffic information to third parties for purposes of providing and managing our broadband Internet service or if required by law.

**Use of network traffic information for non-network management purposes.** We do not use network traffic information for non-network management purposes.

**Redress Options.** Questions and complaints regarding the foregoing matters should be addressed to MetroNet at [www.metronetinc.com/contact](http://www.metronetinc.com/contact).

MetroNet strongly desires to resolve questions, complaints and other problems of its customers and edge service providers in an informal and direct manner that satisfies all interested parties to the greatest extent practicable. Customers and edge service providers that are not able to obtain satisfaction from MetroNet have the option of invoking the FCC's informal and formal complaint procedures regarding Open Internet Framework disputes.

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<sup>4</sup> See, e.g. 47 U.S.C. § 222.