

## **OMNITEL COMMUNICATIONS 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 Farmers Mutual Telephone Company d/b/a OmniTel Communications (together with any subsidiaries or affiliates providing your service, "**we**," "**us**," "**Company**," or "**Provider**") regarding network management practices, performance characteristics, and commercial terms are provided in entirety so that 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**

Although congestion on Provider's network is extremely rare (occurring only a few times a year), if Provider's network nears a state of congestion, Provider will use congestion management practices to facilitate a better overall online experience in times of congestion, especially for delay-sensitive items, such as voice and video traffic. All traffic on Provider's network is subject to Provider's congestion management practices. The congestion management practices utilized by Provider are triggered when the network traffic load exceeds a predetermined threshold with the network interface. The Provider's congestion management practices involve the use of transport interfaces with individual queues that will favor delay-sensitive traffic, as identified by the Class of Service technologies. Customers whose Internet traffic is temporarily managed by Provider will still be able to run any applications or perform any online activities; however, during times of congestion, some customers may experience a slight delay in downloads, uploads and Internet/website response times as data will be held in queue before transmission.

Provider does not have an excessive use cap under its congestion management practices; however, a subscriber's usage may be limited by the service

tier/service package to which they subscribe and Provider's Acceptable Use Policy.

### **Application-Specific Behavior**

Provider does not block or rate-control specific protocols or protocol ports. Provider does not modify protocol fields in ways not prescribed by protocol standard. Provider does employ industry-recognized network management tools (*i.e.*, Class of Service ("COS")) to favor certain applications or classes of applications by assigning higher priority to the delivery of critical network traffic, such as voice and streaming video traffic on its network.

### **Device Attachment Rules**

In order for a device to be approved for use on the Provider's network, the device must be non-harmful to Provider's network and must conform to the "Customer Equipment" provisions contained in Provider's Terms and Conditions for High Speed Internet Service.

Additionally, for Internet service delivered through Provider's Fiber-to-the-Home ("FTTH") technology, the subscriber's device must have the capability to support 10/100/1000 Base T Ethernet connectivity with either static or dynamic addressing via Dynamic Host Configuration Protocol ("DHCP"). For Internet service delivered through cable modem, any modem device must support the appropriate Data Over Cable Service Interface Specification ("DOCSIS") configuration for the selected service package tier and must be registered in Provider's system. Any Digital Subscriber Line ("DSL") modem must have the ability to support G.LITE and/or G.DMT with the proper Virtual Path Identifier/Virtual Circuit Identifier ("VPI/VCI") configuration. Provider's wireless services are delivered via proprietary hardware and must be received from Provider.

### **Security**

Provider offers its customers unrestricted access to all of the content, services, and applications available on the Internet. Provider utilizes upstream filtering mechanisms to all end-user connections to enforce the transmission of content to only those devices which have registered on the network appropriately. Devices attempting to connect to Provider's network without registering, or attempting to imitate a registered device, will be denied access. The extent of this filtering is not application-aware and will not prohibit the use or access to Internet applications or other resources. The upstream filtering mechanisms are in place at all times and constantly monitor traffic to ensure it conforms.

Furthermore, Provider reserves the right to protect its network from harm, which may impact legitimate data flows. Provider uses industry standard tools and

generally accepted best practices and policies to protect the integrity of its network. 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. However, the Provider makes no representations, warranties or assurances regarding the security of any system or network or the protection or privacy of email or other information transferred or communicated through the Internet or any other system or network. The Provider is not responsible for providing any type of anti-virus, firewall or filtering software. Set-up, maintenance and use of such programs are solely the responsibility of the subscriber.

To ensure security protection for network users, Provider has SecureIT services available for a minimal monthly fee. The SecureIT services available from Provider include automated spyware protection, automated virus protection, automated Windows updates, firewall protection, parental controls, and pop-up blockers for Internet Explorer.

The security measures employed by Provider do not prevent end-users from running certain applications.

## **Performance Characteristics**

Provider offers broadband Internet access service via Digital Subscriber Line (“DSL”), Fiber-to-the-Home (“FTTH”), cable modem and wireless technology. 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. With the capacity for an indefinite amount of data, FTTH technology allows subscribers to receive better quality voice, data and video services in their homes. Broadband Internet access service delivered via a cable modem uses the existing cable television infrastructure (coaxial cable) for bi-directional data communication and transmission. Wireless broadband Internet service uses radio technology in place of existing telephone or cable lines.

The technology utilized to provide broadband Internet access service to an individual customer will be dependent upon the customer’s address as the Provider does not offer all technologies to all locations in the network.

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 testing using Ethernet Test Sets, during peak usage periods (*i.e.*, between 7:00 p.m. and 11:00 p.m. on weeknights), the actual achieved throughput speeds will be 80 to 90% of the advertised service speed rates.

Provider's internal testing, established a mean round trip latency of 50 ms.

The actual speeds achieved with Provider's Internet service offering make Provider's Internet service suitable for real-time applications, such as Voice over Internet Protocol ("VoIP").

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, bundled service choices, and ala carte alternatives.

To see Provider's broadband Internet access service offerings, please visit our website [www.omnitel.biz](http://www.omnitel.biz) or call 1-877-OmniTel to speak with a customer service representative.

### **Early Termination Fees**

If a customer previously entered into a service agreement with Provider for any Minimum Term, and customer desires to disconnect or cancel service prior to the end of the applicable Minimum Term, Provider may charge a reasonable early termination fee based on the value of the benefit received (in comparison to the same service or equipment for a month-to-month service term) in connection with the Minimum Term, if such fee is clearly indicated in the service agreement. Recovery fees are cumulative and in addition to any other charges or fees owed, and any other fees or charges that may be charged upon disconnection in accordance with the service agreement.

### **Usage-Based Fees**

Provider's Internet service is priced on a monthly flat-fee basis (plus taxes) and is intended for individual customer use only. Pricing is based on contemplated usage not exceeding commercially reasonable limitations. Unlimited plans and features may ONLY be used for normal residential or business use. In the event a subscriber's usage exceeds applicable usage limitations and as an alternative

to disconnection of service, Provider may offer you a revised agreement including higher rates for usage of service that is deemed to be inconsistent with normal residential or business use.

Provider reserves the right to limit throughput or amount of data transferred, and to deny or discontinue service, without notice, to any user it believes is using an unlimited data plan or feature in any manner prohibited by the Provider's Acceptable Use Policy or whose usage adversely impacts Provider's network or service levels.

For additional information on Provider's fee schedule for additional network services, visit the Provider's website at: [www.omnitel.biz](http://www.omnitel.biz).

### **Privacy Policy**

The various network management tools and techniques utilized by Provider do not monitor, inspect or store the network activity and traffic of its Internet service users.

Provider is under no obligation to monitor a customer's usage, bandwidth, transmissions and/or content of service. However, Provider may monitor the usage, bandwidth transmissions and content of service periodically to comply with any necessary laws, regulations or other governmental requests or to operate service properly or to protect itself, its network and its customers and subscribers. Provider reserves the right to modify, reject, or eliminate any information residing on or transmitted to its server that it, in its sole discretion, believes is unacceptable or in violation of the Acceptable Use Policy or any other terms and provisions applicable to service.

Further, as part of its network management practices, Provider does not distribute information on network activity and/or traffic to any third party, or use network traffic information for any non-network management purpose. Provider may collect personally identifiable information, as needed, to provide high speed Internet service or other services to subscribers or to detect unauthorized reception of service. The use and disclosure of this personal data is governed by federal law and the terms of Provider's service agreements.

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 our Network Management Practices Policy or would like to file a complaint with us regarding our network management practices, please contact us at:

OmniTel Communications  
608 East Congress  
PO Box 518  
Nora Springs, IA 50458  
Telephone Number: (641) 749-2531 or 1-877-OmniTel  
Email Address: [question@omnitel.biz](mailto:question@omnitel.biz)  
[www.omnitel.biz](http://www.omnitel.biz)

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 Use Policy at:  
[http://www.omnitel.biz/pdf/acceptable\\_use\\_policy\\_2\\_2011.pdf](http://www.omnitel.biz/pdf/acceptable_use_policy_2_2011.pdf)