

PHOENIX INTERNET OPEN INTERNET DISCLOSURE STATEMENT

The Federal Communications Commission (“FCC”) requires Phoenix Internet to provide the following information relating to our broadband Internet service. The FCC definition of broadband Internet service is “a service marketed and sold on a standardized basis to residential customers, small businesses and other end-user customers such as schools and libraries.” This information is in addition to our Acceptable Use Policy (“AUP”) and Terms and Conditions.

This statement does not apply to services provided by third party premises operators whom may use Phoenix Internet services to provide service to their customers even if Phoenix Internet helped setup or was involved in any interaction with the third party and their customers.

Network Management

Phoenix Internet manages its IPv4 network in attempt to provide a high quality, high speed user experience. To maintain a high level of quality, Phoenix Internet, actively monitors all equipment on its network for up time and throughput and perform ongoing upgrades, updates and additions. We apply filters to our network that temporary block traffic we deem malicious, including any traffic attempting to access secure ports on Phoenix Internet servers, routers, and switches. Additionally, we utilize black lists from malc0de.com, spamhaus.org, and dshield.org to block IPv4 source IPs from reaching our network customers.

Usage Limits

To ensure that some customers do not degrade, inhibit, or interfere with our network in a negative way for the bulk of our subscribers, Phoenix Internet maintains an excessive use policy that applies to wholly uncharacteristic of a typical user as determined by Phoenix Internet at its sole discretion. Common activities that may trigger usage limits include continuous or numerous bulk transfers of data which include but are not limited to FTP, torrenting, etc. These limits are only applied if a distribution point which could be a radio Access Point (AP), a DSL chassis, or a fiber router/switch is being negatively impacted by a customer using service in an uncharacteristic, atypical way.

Blacklisting

If a customer is targeted by an outside 3rd party via a Denial of Service (DoS) attack, they may have their service temporarily disabled in order to prevent a continuing negative degradation of Phoenix Internet’s network. If the customer is found to be in violation of Phoenix Internet’s AUP while investigating the DoS attack, their services will be terminated as a cancellation and all fees due will be assessed.

Service Performance

Phoenix Internet service offerings are listed by their maximum throughput. Phoenix Internet strives to provide full throughput availability at all times. Phoenix Internet cannot guarantee that you will get the contracted speed at all times and advertises the speeds as “up to.” Phoenix Internet aims to provide a connection that has a latency through Phoenix Internet under 100ms. A customer maybe getting their advertised speed from Phoenix Internet’s perspective but may not because of a number of factors outside of Phoenix Internet’s control including, but not limited to the following:

1. Health and speed of the customer’s computer or wireless device. Viruses, applications, and other parts of your computer or wireless device may inhibit its ability to communicate on the network at desired speeds.
2. Customers use Routers and Switches to distribute service through their home or business. Depending on the age and capabilities of these devices, service maybe limited.

3. WiFi comes in many flavors and has range limitations. Today, many customers use their Phoenix Internet service through a WiFi connection. Depending on the type, frequency, and obstacles; a customer's ability to communicate on WiFi may hamper their ability to get on the Internet.

4. Congestion and connection limits at your traffic's destination could inhibit your speed. Phoenix Internet does not know how much bandwidth or traffic is being handled by the server your application (web browser, game, etc) is trying to access and therefore cannot state that you will always get the speed that we are advertising to any ones site.

5. Phoenix Internet does not provide Domain Name Service (DNS) to our customers, the application that allows your applications to translate names to IPv4 addresses. We recommend certain public DNS servers for use by our customers that we feel are reliable, but we cannot not guarantee the fitness of those servers as we have no control of them.

Applications

Phoenix Internet does not block or give preferential treatment to any lawful use of our network. When available, we honor quality of service tags on traffic for last mile traversal to give customers the best service experience. This means that VoIP traffic, if marked with the proper tags and on Phoenix Internet equipment that supports the tags, will be given preferential treatment to the end user entering their network. This includes Phoenix Internet's VoIP services. In general, all traffic is provided the same priority which includes streaming traffic, web surfing traffic, and file sharing traffic from any vendor will have the same treatment and priority.

Privacy

Phoenix Internet does not collect daily data of sites or applications its customers utilize. Full Credit Card numbers and account passwords are not accessible by staff. Address information maybe utilized for Phoenix Internet purposes during and after service for advertising and planning purposes.

Questions/Concerns

If you have any questions or concerns relating to Phoenix Internet, you may contact via email (support@phoenixinternet.com) or by phone (602)234-0917.

The FCC can be reached for complaints relating to Phoenix Internet or any other broadband service via its website (<http://www.fcc.gov/guides/getting-broadband>).