

# MaxxSouth Internet Privacy Policy

This privacy policy applies to MaxxSouth Broadband's (referred to herein as "MaxxSouth") provision of broadband service to subscribers (referred to herein as "You," "Your," or "Customer(s)"), including without limitation broadband services, MVNO mobile telephone services, and any MaxxSouth mobile apps. This privacy policy describes the information that MaxxSouth collects, and how MaxxSouth may use and disclose that information, as well as the steps that MaxxSouth takes to protect against unauthorized disclosure of Your information. IMPORTANT: This Internet service privacy policy does not apply to the collection or use of information by MaxxSouth in connection with the cable television services or voice services that MaxxSouth provides to its customers. In the event that MaxxSouth changes this privacy policy, a revised version of the privacy policy will be updated on the website. If you find the changes unacceptable, you have the right to cancel service. If you continue to use the service following the posting of a revised privacy policy, we will consider that to be your acceptance of and express consent to the changes.

## What type of information does MaxxSouth collect?

There are two types of information that MaxxSouth may collect in connection with your use of MaxxSouth's broadband services (collectively, the "Service") — personally identifiable information and non-personal information, each of which are discussed in greater detail below.

**Personally identifiable information** – Personally identifiable information may include Your name; address; telephone numbers; e-mail addresses; social security number; driver's license number; bank account number; credit card number; billing records; service records; payment and deposit history; customer correspondence; and the services You subscribe to and use. MaxxSouth also collects customer-provided customization settings and preferences. By using MaxxSouth's Internet service, Customer consents to our collection of this information and other information communicated to MaxxSouth such as e-mails, responses to surveys or e-mails, information provided in chat sessions with us, registration information, or participation in promotions or contests. In addition, if You rent Your residence, we may have a record of whether landlord permission was required prior to installation of our cable facilities and Your landlord's name and address.

**Non-personal information** – Non-personal information, including aggregate information about our Customers obtained from other sources, does not identify individual Customers. MaxxSouth may combine this data with our business records as necessary to better serve our Customers. Examples of non-personal information are log files, which include IP addresses, MAC addresses or other equipment identifiers, among other data. These are used by MaxxSouth's website servers to record aggregate information about site usage for network administration and for aggregate tracking of site usage and to gather broad demographic information. Only anonymous and aggregated Internet usage data, which may be combined with aggregate demographic data, is provided to third parties. However, MaxxSouth may provide site usage information linked to your personally identifiable information to law enforcement agencies or others in response to appropriate legal processes or in other situations as described below under the heading "Who

Sees the Information Collected by MaxxSouth?” MaxxSouth, or our contractors or agents, may from time to time share aggregate (non-personally identifiable) information such as the number of Service subscribers who match certain statistical profiles (for example, the number of subscribers in various parts of the country) with our advertisers, content providers, or other third parties with whom we have a relationship.

We may use aggregate and/or personally identifiable information to better understand how the Service is being used, to improve it, and for network management, bandwidth usage, maintenance, performance measurement, and security purposes, including determination of whether there are violations of any applicable policies and terms of service.

MaxxSouth transmits personally identifiable and non-personally identifiable information about You over the Service when You send and receive e-mail, video mail, and instant messages, transfer and share files, make files accessible, visit Websites, or otherwise use the Service and its features. Our transmission of this information is necessary to render the Service and allow You to use the Service as You have chosen.

### **How does MaxxSouth use Your personally identifiable information?**

MaxxSouth collects personally identifiable information to provide You with accurate and high quality customer service, properly deliver Your services, for billing, invoicing and collections, to better understand how the service is being used, to improve the service, to protect the security of the system, to determine whether there are violations of any applicable policies and terms of service, for fraud prevention, to manage the Service network, and to configure, maintain and/or repair cable modems and/or other cable and Internet service-related devices. MaxxSouth also retains the right to monitor its Internet service for these purposes. We also collect this information so we may provide updates, upgrades, repairs or replacements for any of the Internet service-related devices or software used in providing or receiving Internet services. Additional information also allows MaxxSouth to tailor our services, as well as develop and market new services, to better fit Customer’s needs. MaxxSouth also uses Customers’ personally identifiable information to maintain our accounting and tax records and to otherwise comply with law.

MaxxSouth may also collect personally identifiable information about You from third parties to enhance our customer database for use in marketing and other activities. MaxxSouth also collects personally identifiable information from third parties to verify information You have provided to us, and MaxxSouth may collect personally identifiable information from credit reporting agencies to, for example, determine your credit worthiness, credit score, and credit usage. MaxxSouth also may maintain research records containing information obtained through voluntary subscriber interviews or surveys.

### **Who sees the information collected by MaxxSouth?**

MaxxSouth will only disclose personally identifiable information to others if: (a) You provide written or electronic consent to such disclosure in advance, or (b) MaxxSouth is permitted or required under applicable federal or state law to disclose such information. Specifically, federal law allows MaxxSouth to disclose personally identifiable information to third parties (a) when it

is necessary to provide MaxxSouth's services or to carry out MaxxSouth's business activities, (b) as required by law or legal process, or (c) for mailing list or other purposes subject to Your ability to limit such disclosure.

To provide its services and carry out our business activities, certain personnel have authorized access to Your information. These personnel include our employees, entities affiliated through common ownership or control with MaxxSouth, and third parties that provide and/or include: billing and collection services; installation, repair and customer service subcontractors or agents; program guide distributors; software vendors; program and other service suppliers for audit purposes; marketers of MaxxSouth's products and services; our attorneys and accountants; and strategic partners offering or providing products or services jointly or on behalf of MaxxSouth. For example, MaxxSouth may use third parties to deliver some features and functions of the Service, such as customer support, e-mail, video mail, instant messaging, and web hosting, and those third parties may collect or transmit personally identifiable and non-personally identifiable information about You. These third parties may also have access to preferences You provide to MaxxSouth to personalize Your service. The frequency of disclosures to such personnel varies according to business needs, and may involve access on a regular basis. MaxxSouth restricts third parties' use of Your information to the purposes for which it is disclosed and prohibits third parties from further disclosure or use of Your personally identifiable information obtained from us whether it be for that third party's own marketing purposes or other reasons.

However, some of the third parties that MaxxSouth contracts with provide particular services, such as Internet content or software, and when You use such services, You may be providing Your name, specific service-related information and other personally identifiable information directly to the third party service provider. In such instances, You may become a customer of a third party directly and accordingly be subject to such third party's terms of service and privacy policies, and MaxxSouth will have no control of such third party's use of Your personally identifiable information. This may occur, for example, when you link to other websites from our website. Although some of these other sites may be co-branded with MaxxSouth and look like MaxxSouth's service offerings, MaxxSouth is not responsible for the privacy practices of these other sites. We encourage You to be aware when You leave our website and read the privacy policies of every Website that collects personally identifiable information about You, whether the site is co-branded with MaxxSouth or not.

MaxxSouth also may transfer Your personally identifiable information in the event that it enters into a merger, acquisition, or sale of all or a portion of our assets.

As noted above, MaxxSouth also may disclose Your personally identifiable information to governmental agencies or to comply with valid legal processes. Such disclosures may be made pursuant to an administrative subpoena, warrant, or court order, or in our reasonable discretion in the event of an emergency giving rise to the threat of serious physical injury. In these situations, MaxxSouth may be required to disclose personally identifiable information about a Customer without Customer's consent and without notice to the Customer. In response to a subpoena, we may be required to disclose to the government the following records: Your name and address, records of Your Internet sessions (including session times and duration); how long You have been subscribed to our service(s) (including start date and the type(s) of service(s) utilized); Your

telephone number or other subscriber account identifying number(s), including any Internet or network address(es) assigned to You by our network; and the means and source of Your payment(s) including any credit card or bank account number. In addition, if we receive a Federal or State search warrant or court order, we may be required to disclose to law enforcement agencies the content of, and other records relating to, e-mail messages (including attachments to e-mail messages and records relating to Your e-mail and Internet use), without notice to You. Law enforcement agencies may, by Federal or State court order, and without notice to You, obtain the right to install a device that monitors Your Internet and e-mail use, including addresses of mail sent and received. MaxxSouth may also use or disclose personally identifiable information about You without Your consent to protect our customers, employees, or property, in emergency situations, to enforce our rights in court or elsewhere or directly with You, and for detection of and enforcement against violations of the Service's terms of service and policies (including our Acceptable Use Policy).

MaxxSouth may also disclose personally identifying information about You and/or Your account at its sole discretion in order to comply with the Digital Millennium Copyright Act or any other laws, to enforce its Acceptable Use Policy, to protect the integrity of MaxxSouth's network, or to protect our other Customers. In such circumstances, MaxxSouth may disclose Your personal information to private individuals or to government entities. In some instances where there are valid legal requests or orders for disclosure of Your information, we may notify You of the requests or orders, in which case it may incumbent upon You to object to or take specific action to prevent or limit such disclosures.

Unless Customer objects in advance, federal law also allows MaxxSouth to disclose personally identifiable information, such as Customer's name, and address to non-affiliated entities, including advertisers and marketing entities, for non-service related purposes, including product advertisement, direct marketing and research. Under no circumstances will MaxxSouth disclose to these entities the extent of Customer's television viewing practices if Customer is a cable television subscriber, or Customer's use of the service or the transactions Customer makes over the cable system.

Except as described above, we will not provide our advertisers, content providers, or these other third parties with personally identifiable information about You, or where specifically You are located within Your community, unless we have received Your consent first. Likewise, MaxxSouth will not share personally identifiable information about where You go on the Service or on the Web, what sites You regularly visit, or what information You download or upload, unless we have received Your consent first, except as required by law.

**IMPORTANT NOTE: If You subscribe to MaxxSouth's cable video or telephony service, you should review the Customer Privacy Policy applicable to those services.**

**Can I prohibit or limit MaxxSouth's use and disclosure of my personally identifiable information?**

If You do not want Your name, address or level of service disclosed to unaffiliated third parties as explained above, please register this preference by calling your local customer service office. Visit our [Contact Us](#) page for more information on contacting customer service.

Also, if You do not want to receive telemarketing calls from MaxxSouth, You may visit or call your local office (click here for our [Contact Us](#) page), and request to be placed on MaxxSouth's Do Not Call list. Please note that a Do Not Call request will not eliminate all telephone calls to You from MaxxSouth as MaxxSouth may still continue to make non-telemarketing account-related calls to You.

### **MaxxSouth's Use of "Cookies"**

Cookies are small files stored on a computer's hard drive to simplify and improve a user's Web experience. A website may store information in a cookie about Your computer configuration, or Your browser may save a cookie with Your user name and password. These allow for more efficient provision of information to You when You revisit a site and easier access to a website's contents. MaxxSouth also uses cookies to ensure the efficient use of its network. Some of our business relationships are with vendors who may use cookies (for example, search engines) or in connection with their own advertisers and other business partners; however, we have no access to or control over these cookies. Please refer to each of the vendors' websites to determine how they utilize cookies. You may access or delete cookies that may be on Your individual computer system. You may also be able to prevent or disable any new cookies on Your computer, but certain websites may not let You visit or perform other functions if cookies are disabled or prevented. MaxxSouth has no control over those websites or that process.

### **Does MaxxSouth protect children's privacy?**

MaxxSouth is concerned about Children's privacy and does not knowingly collect personally identifiable information from anyone under the age of 13 through the Service without verifiable parental consent. At those specific web pages at which MaxxSouth collects such information, MaxxSouth will provide a special notice or other information describing the additional privacy protections that may apply. MaxxSouth urges children to always obtain a parent or legal guardian's permission before sending any information about themselves over the Internet and urges parents and legal guardian's to be vigilant regarding children's Internet usage. Other services or web pages accessed through MaxxSouth's Service may have different policies on collection of information pertaining to children and You should consult their privacy policies and read their notices if You have any concerns about the collection or use of such information by those entities.

### **How long does MaxxSouth maintain personally identifiable information?**

MaxxSouth will maintain personally identifiable information about Customer only as long as Customer is a subscriber to MaxxSouth's services or as long as necessary for the purpose for which it was collected. If Customer is no longer a subscriber to MaxxSouth's services and the information is no longer necessary for the purpose for which it was collected, MaxxSouth will only keep personally identifiable information as long as necessary to comply with laws

governing our business. These laws include, but are not limited to, tax and accounting requirements that require record retention. MaxxSouth will also maintain personally identifiable information to satisfy pending requests or orders for access by a subscriber to his/her information or pursuant to a court order. MaxxSouth will destroy Customers' personally identifiable information when the information is no longer necessary for the purpose for which it was collected, when there are no longer pending requests for such information, and when it is no longer necessary to retain the information under applicable laws.

### **How does MaxxSouth protect customer information?**

MaxxSouth takes the security of our Customers' personally identifiable information seriously. MaxxSouth takes such actions as are reasonably necessary to prevent unauthorized access by entities other than MaxxSouth to personally identifiable information. MaxxSouth uses security and/or encryption technology to secure certain sensitive personally identifiable information when it collects such information over the system. MaxxSouth restricts access to its customer database and secures the content by use of firewalls and other security methods. MaxxSouth limits access to databases containing Customers' personally identifiable information to authorized employees and agents of MaxxSouth and other parties identified in the disclosure section above. However, we cannot guarantee that these practices will prevent every unauthorized attempt to access, use, or disclose personally identifiable information.

**IMPORTANT NOTE:** You need to help protect the privacy of Your own information. You and others who use Your equipment must not give identifying information to strangers or others whom You are not certain have a right or need to the information. You also must take precautions to protect the security of any personally identifiable information that You may transmit over any home networks, wireless routers, wireless fidelity (WiFi) networks or similar devices by using encryption and other techniques to prevent unauthorized persons from intercepting or receiving any of Your personally identifiable information. You are responsible for the security of Your information when using unencrypted, open access or otherwise unsecured networks in Your home. MaxxSouth will never ask you to provide account sign-in passwords, credit card numbers, or other sensitive information through unsolicited email. If we request such information from you, we will always direct you to MaxxSouth's website. You should, however, be aware of imposter websites pretending to be MaxxSouth's. If you have received email requesting that you sign in or provide information that you suspect was not sent by MaxxSouth, **DO NOT CLICK ON THE LINK IN THE EMAIL** but use your own browser to go to MaxxSouth's site. If you are directed to a website that you do not believe is MaxxSouth's, please contact MaxxSouth at 1-800-457-5351. MaxxSouth will also not ask for your Internet account password over the telephone.

### **Can I see the information that MaxxSouth collects about me?**

You have a right under the Cable Act to see Your personally identifiable information that MaxxSouth collects and maintains. The information MaxxSouth has about its Customers is maintained at the local office where service is provided and at our corporate headquarters. If You would like to see Your information, please send a written request to Your local MaxxSouth office. MaxxSouth will be glad to make an appointment for You to come in to Your local office

during regular business hours. If Your review reveals an error in our records, MaxxSouth will correct it. You may also be able to access certain information about You or Your account over the system, depending upon the information You have provided (i.e., information Customer has provided to process an order made via the system, etc.).

**What can I do If I believe MaxxSouth has violated my rights?**

The Cable Act provides You with a civil cause of action for damages, attorneys' fees and costs in Federal District Court should You believe that MaxxSouth has violated any of the Cable Act's limitations on the collection, disclosure, and retention of personally identifiable information. You may have recourse under other applicable laws as well.

**What if I have any questions?**

If you have any questions about our privacy protections and policies, please contact Your local customer service office. You can find the phone number for Your local customer service office on Your monthly bill statement or by visiting MaxxSouth's Contact Us page by clicking [here](#).