

CUSTOMER PRIVACY NOTICE

I. Collection

What kind of information does this notice apply to?

Special Note: This notice only covers information that is collected by Pixius in connection with our high-speed Internet service. It does not cover information that may be collected through any other products, services, or websites, even if accessed through our services and even if co-branded with them. You should read the privacy policies for these other products, services, and websites to learn how they handle your personal information.

What kind of personal information does Pixius collect?

Pixius collects information from you at several different points when you initiate and use our services. Some of this information is personal information, but much of it is not. We collect certain personal information that our subscribers furnish to us in connection with the provision of services. In order to provide reliable, high quality service to you, we keep regular business records containing information about you that may constitute personally identifiable information. These records include some, but typically not all, of the following information:

- your name;
- service address;
- billing address;
- e-mail address;
- telephone number;
- bank account number;
- credit card number; and
- other similar account information.

We also collect and maintain certain other information about your account. This information may include:

- billing and payment history;
- additional service information;
- customer correspondence and communications records;
- maintenance and complaint information; and
- additional information about the service options you have chosen.

Some of our services permit you to establish secondary accounts, and if you do so we collect similar information in order to establish and service the secondary accounts. During the initial provisioning of our services, and during any subsequent changes or updates to our services, Pixius may collect technical information about your computer hardware and software, other service-related devices, and customization settings and preferences. Additionally, if you rent your residence, we may have a record of whether landlord permission was required prior to installing our facilities as well as your landlord's name and address.

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II. Use

How does Pixius use personal information?

We collect, maintain, and use personal information as permitted by applicable laws. We use this information primarily to conduct business activities related to providing you with our services, and to help us detect theft of service. Generally speaking, we use personal information in connection with:

- billing and invoicing;
- administration;
- surveys;
- collection of fees and charges;
- marketing;
- service delivery and customization;
- maintenance and operations;
- technical support;
- hardware and software upgrades; and
- fraud prevention.

More specifically, we also use personal information to:

- install, configure, operate, provide, support, and maintain our services;
- confirm you are receiving the level(s) of service requested and are properly billed;
- identify you when changes are made to your account or services;
- make you aware of new products or services that may be of interest to you;
- understand the use of, and identify improvements to our services;
- detect unauthorized reception, use, or abuse of our services;
- determine whether there are violations of any applicable policies and terms of service;
- manage the network supporting our services;
- configure service-related devices; and
- comply with law.

Pixius transmits, and may collect and store for a period of time, personal and non-personal information about you when you use our high-speed Internet service to:

- send and receive e-mail, video mail, and instant messages;
- transfer and share files;
- make files accessible;
- visit websites;
- communicate with us for support; or
- otherwise use the services and their features.

Our transmission, collection, and storage of this information is necessary to render the services. In certain situations, third-party service providers may transmit, collect, and store this information on our behalf to provide features of our services. These third parties are not permitted to use your personal information except for the purpose of providing these features.

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We may also combine personal information, which we collect as described in this notice as part of our regular business records, with personal information obtained from third parties for the purpose of creating an enhanced database or business records. We may use this database and these business records in marketing and other activities related to our services. We also maintain records of research concerning subscriber satisfaction, which are obtained from subscriber interviews and questionnaires.

III. Disclosure

Under what circumstances may Pixius disclose personal information to others?

Pixius considers the personal information contained in our business records to be confidential. Pixius may disclose personal information concerning any subscriber for the following purposes if the disclosure is:

- necessary to render, or conduct a legitimate business activity related to services provided to the subscriber;
- required by law or legal process; or
- of the names and addresses of subscribers for Pixius mailing lists.

To whom may Pixius disclose personal information?

We may disclose personal information if it is necessary to render, or conduct a legitimate business activity related to services we provide to you. These kinds of disclosures typically involve billing and collections, administration, surveys, marketing, service delivery and customization, maintenance and operations, and fraud prevention, for example. We may also collect, use, and disclose information about you in non-personal or aggregate formats, such as service usage and other statistical reports, which do not personally identify you, your particular viewing habits, or the nature of any transaction you have made over the network. The frequency of any disclosure of personal information varies in accordance with our business needs and activities.

We may sometimes disclose personal information about you to our affiliates or to others who work for us. We may also disclose personal information about you to outside auditors, professional advisors, service providers and vendors, potential business merger, acquisition, or sale partners, and regulators. Typically, we make these disclosures when the disclosure is necessary to render, or conduct a legitimate business activity related to the services we provide to you. We may be required by law or legal process to disclose certain personal information about you to lawyers and parties in connection with litigation and to law enforcement personnel.

If we enter into a merger, acquisition, or sale of all or a portion of our assets, subscribers' personal information will, in most instances, be one of the items transferred as part of the transaction. If this notice will be changed as a result of a transaction like that, you should refer below under "Will Pixius notify me if it changes this notice?"

We may also use or disclose personal information about you without your consent to protect our customers, employees, or property, in emergency situations, to enforce our

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rights under our terms of service and policies, in court or elsewhere, and as otherwise permitted by law.

When is Pixius required by law to disclose personal information?

We make every reasonable effort to protect subscriber privacy as described in this notice. Nevertheless, we may be required by law to disclose personal information about a subscriber. These disclosures may be made with or without the subscriber's consent, and with or without notice, in compliance with the terms of valid legal process such as a subpoena, court order, or search warrant.

How does Pixius protect personal information?

We follow industry-standard practices to take such actions as are necessary to prevent unauthorized access to personal information by a person other than the subscriber or us. However, we cannot guarantee that these practices will prevent every unauthorized attempt to access, use, or disclose personal information.

How long does Pixius maintain personal information?

Pixius maintains personal information about you in our regular business records while you are a subscriber to our service. We also maintain this information for a period of time after you are no longer a subscriber if the information is necessary for the purposes for which it was collected or to satisfy legal requirements. These purposes typically include business, legal, or tax purposes. If these purposes no longer apply, we will destroy the information according to our internal policies and procedures.

IV. Customer Access and Choice

What e-mail communications will Pixius send to me?

We may send a welcome e-mail and sometimes other information to new subscribers (including each new secondary account holder, where applicable). We may also send service-related announcements to our subscribers from time to time. For example, we may send you an e-mail announcement about a pricing change, a change in operating policies, a service appointment, or new features of one or more services you receive from us. You may not opt-out of these service-related communications. If you fail to check your primary e-mail address for service-related announcements, you may miss important information about our services, including legal notices, for example.

We reserve the right to send you promotional or commercial e-mail as permitted by applicable law.

Will Pixius notify me if it changes this notice?

You can view the most current version of this notice by going to www.pixius.com, searching for "privacy policy," and selecting the appropriate link.

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We may modify this notice at any time. We will notify you of any material changes through written, electronic, or other means and as otherwise permitted by law. If you find the changes to this notice unacceptable, you have the right to cancel your service. If you continue to use the service following notice of the changes, we will consider that to be your acceptance of and consent to the changes in the revised privacy notice. This includes your consent for any personal information that we may collect and use starting on the effective date of the revised notice, as well as for any personal information that we have collected prior to the effective date of the revised notice.

How do I contact Pixius?

If you have any questions or suggestions regarding this privacy notice, or wish to contact us about your personal information, please reach us as follows:

Phone: 1-800-577-5429

Email: billing@pixius.com

Mail: Pixius Communications, LLC
1634 E. Central Ave.
Wichita, KS 67214

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