

# ImOn Privacy Notice

Last updated January 1, 2025

## Introduction

ImOn Communications, LLC, on behalf of itself and its subsidiaries (“ImOn”, “we”, “us”, or “our”), is committed to protecting your privacy. This Privacy Notice explains how ImOn collects and processes information from those who use our online services (e.g., websites, mobile applications, e-mail, or calls)(collectively, “Communication Services”), or subscribe to our communication and entertainment distribution services (“Subscription Services”)(collectively, our “Services”). This Privacy Notice should be read in conjunction with our “Terms of Use” found at the bottom of our websites and any agreements or contracts you have entered into with us for any of our Subscription Services.

This Privacy Notice contains the following:

1. Information We Collect and How We Collect and Use It
2. How We Share Your Information
3. How Long We Keep Your Information
4. How We Protect Your Information
5. How You May Access and Correct Your Information
6. Our Responsibilities and Your Rights under State and Federal Laws
7. Changes to This Policy
8. Violations of This Policy or Your Rights
9. Availability of This Policy
10. How You May Contact Us

## 1. Information We Collect and How We Collect and Use It

The information we collect depends on the nature of your contact with us. When you use our Communication Services to communicate with us, we may collect information from you that we use to provide you with information about us and our Services. When you use our Subscription Services or use our Communication Services to inquire about your Subscription Services, we use the information that we collect to deliver, provide, confirm, change, bill, monitor, maintain and repair your Subscription Services and service-related devices. This information is also used to resolve issues with your order, with our products and services, or with your account.

### a. Information Collected When You Communicate with Us

The information we collect when you communicate with us using our Communication Services may include, but may not be limited to:

- Contact Information, including your name, addresses, email address, phone number(s) (cellular and landline) and any other contact information that allows us to contact you;
- The reason(s) for your contact;
- Account Information, including your ImOn username and password, information about the Subscription Services to which you subscribe, payment history, and records of your communications with us;

- Device Information, including information on the number, location within your home and configuration of television sets, converters, cable modems, personal computers, telephones or other service-related equipment or devices in your home;
- Demographic and Location Information, including your age, address and zip code, and the location of your service-related devices;
- Financial Information, including your payment card number or bank account information that you use to pay your bills and credit reports;
- Surveys and feedback information when you agree to participate in surveys or provide other feedback to us regarding our services, when you register to receive newsletters or similar updates;
- Employment information when you apply for a job with ImOn;
- Sensitive Information, including your social security number, driver's license number; and
- Legal information, such as authorizations for Subscription Services, permissions, or rights of entry.

We use this information to establish and maintain your customer account and billing records (including establishing credit), provide services to you, authenticate you (i.e., confirming your identity in connection with service or before sharing sensitive personal or account information), and market our Subscription Services that we offer, to the extent permitted by applicable law.

We may also use our Communication Services to communicate information about your account or about services, marketing offers, or promotions that may be of interest to you, to the extent permitted by applicable law. When, for example, you open an email or click on links within these emails, we may collect and retain information to provide you with future communications that may be more interesting to you. Please note that we will not ask you to send us, via email, sensitive personal or account information.

We also collect information automatically when your devices are connected to the ImOn network so we may provide our Communication Services, including through the use of cookies and other tracking technologies. You can change your cookie preferences at the link on our website. Such information includes, but may not be limited to:

- IP address, which from time to time is assigned to a customer account for a period of time;
- Device data, including metrics generated from the use of devices on the ImOn network. This information describes how a device is operating on our network so that ImOn can prevent, identify, and solve network or device issues; and
- Network data, which is technical data about our network that is produced because a device is interacting with ImOn's network; and

#### **b. Information Collected for the Subscription Services**

The information we collect when you use our Subscription Services may include, but may not be limited to:

- ImOn cable services, including:
  - Personally Identifiable Information as further described below in our Cable Act disclosure.
- ImOn Internet services, including:

- IP address, device identifiers, and network equipment addresses when devices connect to our Subscription Services, and other device information.
- Domain Name System or “DNS” lookups and network traffic activity. The DNS can be thought of as a phonebook for the internet. When a user browses the internet, we need to collect the DNS search or lookup to get the user to the website selected.
- ImOn phone services, including:
  - The quantity, technical configuration, type, features, call history, and amount of use of voice services
  - CPNI, as further described below in our Communications Act and CPNI disclosure.

We use the information that we collect for billing purposes, to deliver and maintain the Subscription Services, or to help you with service-related issues or questions. In addition, subject to any legal restrictions that may apply, this information may be used for other purposes such as providing you with information about service enhancements, determining your eligibility for new services or service packages, and marketing to you based on your use of services. This information may also be used to: (a) manage and protect our networks, services and users from fraudulent, abusive, or unlawful uses; and (b) subject to consent practices described in this Privacy Notice and any legal restrictions that may apply, help us improve our services, and offer promotions and other services.

If you subscribe to our high speed data services, we may automatically measure and monitor network performance and the performance of your Internet connection to improve your, or our, service levels and products. If you contact us for service support, we also may access information about your computer, wireless device or other device settings to provide customized technical support or to install specific applications or services that you use or that are necessary to the applications or services you use.

In certain geographic service areas where we receive certain types of federal high-cost universal service support, we may be required by the FCC to measure and collect information concerning the speed and latency of broadband services provided to randomly-selected subscribers. The FCC has adopted requirements regarding when tests would begin, when exactly we may perform the tests, and the number of active subscriber locations we would be required to test. Once testing begins, test results must be reported and certified to the Universal Service Administrative Company (USAC) and the state utility board on an annual basis. No personally identifiable information is included in the test results reported to the USAC or the state utility board. If you are randomly-selected for testing, the FCC-required performance testing is in addition to the automatic testing we may do to measure or monitor performance and improve our service levels generally.

### **c. Information Provided to Us by Third Parties**

When you apply for or purchase any of our Subscription Services from us, we may obtain credit information about you from outside credit reporting agencies to help us with customer authentication and credit-related decisions.

## **2. How We Share Your Information**

### **a. Information Shared With Our Subsidiaries**

We share customer information with our subsidiaries for operational purposes.

### **b. Information Shared with Third Parties**

Except as explained in this Privacy Notice, we do not sell, license or share information that individually identifies our customers, people using our networks, or website visitors with others outside our subsidiaries.

We may use vendors and partners for a variety of business purposes such as to help us offer, provide, repair and bill for services we deliver to you. We share information with those vendors and partners to the extent reasonably necessary for them to perform work on our behalf. For example, we may provide your credit card information and billing address to our payment processing company solely for the purpose of processing payment for a transaction you have requested. We require that these vendors and partners protect the customer information we may provide to them and limit their use of our customer data to the purposes for which it was provided. We do not permit these types of vendors and partners to use this information for their own marketing purposes.

We provide the names, addresses and telephone numbers of wireline telephone subscribers to directory publishers and directory assistance services unless a non-published or non-listed phone number has been requested.

Unless otherwise restricted or prohibited by law, we may disclose information that individually identifies our customers or identifies customer devices to third parties in certain circumstances, such as:

- to comply with valid legal process including subpoenas, court orders or search warrants, and as otherwise authorized by law;
- in cases involving danger of death or serious physical injury to any person or other emergencies;
- to protect our rights or property, or the safety of our customers or employees;
- to protect against fraudulent, malicious, abusive, unauthorized or unlawful use of or subscription to our services and to protect our network, services, devices and users from such use;
- to advance or defend against complaints or legal claims in court, administrative proceedings and elsewhere;
- to credit bureaus or collection agencies for reporting purposes or to obtain payment for Company-billed services;
- to a third-party that you have authorized in writing to verify your account information;
- to outside auditors;
- to the FCC, the state utility board, or other federal, state, local or other governmental or quasi- governmental authority with jurisdiction over any Service; or
- with your consent.

If we enter into a merger, acquisition or sale of all or a portion of our assets or business, subject to legal restrictions, customer information will also be transferred as part of or in connection with the transaction.

### **3. How Long We Keep Your Information**

Under our practices and policies, sensitive records are retained pursuant to our record retention policies. We will maintain personally identifiable information about you no longer than necessary for the purpose for which it was collected. This means we may also maintain this information for a period of time after you are no longer a subscriber to any of our Subscription Services, if it is necessary for business or legal purposes. We will destroy the information if we have no pending requests, orders or court orders for access to this information, after we determine that it is no longer necessary for the

purposes for which it was collected and in compliance with any applicable federal, state or local laws or requirements.

#### **4. How Long We Protect Your Information**

ImOn has technical, administrative and physical safeguards in place to help protect against unauthorized access to, use or disclosure of customer information we collect or store, including Social Security Numbers. Employees are trained on the importance of protecting privacy and on the proper access to, use and disclosure of customer information. Under our practices and policies, access to sensitive personally identifiable information is authorized only for those who have a business need for such access, and sensitive records are retained only as long as reasonably necessary for business or legal purposes. Although we work hard to protect personal information that we collect and store, no program is 100% secure and we cannot guarantee that our safeguards will prevent every unauthorized attempt to access, use or disclose personal information. ImOn maintains security and incident response plans to handle incidents involving unauthorized access to private information we collect or store.

#### **5. How You May Access and Correct Your Information**

We strive to keep our customer records as accurate as possible. You may correct or update your customer or account information by contacting ImOn via the information provided in Section 10, below.

#### **6. Our Responsibilities and Your Rights under Federal and State Laws**

##### **a. The Communications Act and CPNI**

Section 702 of the federal Telecommunications Act of 1996, as amended (the “**Telecommunications Act**”) provides special privacy protections for “customer proprietary network information” (“CPNI”) we may collect about our telecommunications and Voice over Internet Protocol (VoIP) service subscribers. CPNI generally includes information about the quantity, technical configuration, type destination, location and amount of your use of voice services and information contained on your bill concerning the type of voice services and features you subscribe to or receive. CPNI does not include your name, address, or telephone number, which is defined by the Communications Act as “subscriber list information.”

If you subscribe to our telecommunication or VoIP Subscription Services, you have the right, and ImOn has a duty, to protect the confidentiality of CPNI. We do not sell your CPNI, and your CPNI will not be disclosed to third parties, except as required by law or detailed in this Privacy Notice.

If you make a written request for a copy of your CPNI, we will disclose the relevant information we have to the address we have for your account, or to any person authorized by you, if we reasonably believe the request is valid. For access to your CPNI by telephone or online, we require that you first authenticate your identity using a password or passcode. We do not generally provide our customers with records of calls received, records that are only in our archives, other records that we do not furnish as part of a telephone bill or any other information that we do not create or maintain in the ordinary course of business unless there is a court order or similar legal process requiring such disclosure.

In addition, we cannot correct any errors in customer names, addresses, or telephone numbers appearing in, or omitted from, our or our vendors’ directory lists until the next available publication of those directory lists. Further, we may have no control over information appearing in the directory lists

or directory assistance services of directory publishers or directory assistance providers that are not owned by us.

ImOn reserves the right to charge you for the reasonable cost of retrieving and photocopying any information or documents that you request, where permitted by law.

In the event we determine there are any conflicts between this Privacy Notice and the Telecommunications Act, we will comply with the Act.

#### **b. Internet Transparency Rules.**

ImOn complies with its obligations under the FCC's rules requiring broadband providers to publish information regarding their broadband internet access services. You can find this information in the [ImOn Communications Open Internet Policy](#). As stated in this policy, ImOn does not specifically monitor or inspect the content of your internet traffic. ImOn does not store any information related to your use of its Internet services, except as allowed by law, and only uses that information for the purpose of managing and maintaining the network for operational efficiency, as well as for billing. ImOn does not administer controls over which lawful Internet sites you access and does not limit what information you may download, except in cases where the use of the service violates local, state or federal law or if the customer requests content controls be placed on their service. If you use the service in an unlawful manner, ImOn is permitted to report your activity to the proper authorities and may be required to provide additional information about your use of the service to those authorities, upon presentation of a subpoena. ImOn reserves the right, as required or permitted by law, to cooperate with law enforcement officials in the investigation of any criminal or civil matter. Such cooperation may include, but is not limited to, monitoring of ImOn's network consistent with applicable law.

#### **c. The Cable Act**

This Privacy Notice is designed to comply with the Cable Communications Policy Act of 1984 (the "Cable Act"), which contains restrictions on the collection, disclosure and retention by cable operators of personally identifiable information about subscribers to cable television or certain other services. Other federal law also may apply to some services, including the Electronic Communications Privacy Act of 1986 (the "ECPA"). This Privacy Notice informs subscribers of our policies regarding personally identifiable information ("PII") we obtain in the course of providing our services that are subject to the privacy provisions of the Cable Act. PII is information that identifies you specifically; it does not include de-identified, anonymous, aggregate, or other data that does not identify you. Those services currently consist of our video programming service, our Internet service, and our telephone service (including our voice over Internet Protocol telephone service). Not all of these services may be available in your local cable system.

The Cable Act permits ImOn to disclose PII if the disclosure is necessary to render, or conduct a legitimate business activity related to, the cable service or other services provided to you; required by law or legal process; or limited to your name and address, subject to your right to opt-out of us sharing your name and address. We do not provide customer names and addresses with third parties for their own marketing or other purposes. The frequency of any disclosure of PII varies in accordance with our business needs and business purposes as described in this Policy.

If you are an ImOn cable subscriber, you may request access to the PII that ImOn has collected and maintained about you. In order to request such access you should contact us via the information

provided in Section 10, below. You may review only your PII and may request that ImOn correct errors. ImOn reserves the right to charge the reasonable cost of retrieving and photocopying documents, where permitted by law.

If you believe that you have been aggrieved by any act of ours in violation of the Cable Act or other applicable laws, we encourage you to contact us directly at any of the contact methods above to resolve your question or concern. You may also enforce the limitations imposed on us by the Cable Act as applicable with respect to PII through a civil lawsuit seeking damages, attorneys' fees, and litigation costs. Other rights and remedies may be available to you under federal or other applicable laws as well.

#### **d. Iowa Data Privacy Act for Iowa Residents**

This Section applies to Iowa residents that use our Services for individual or household purposes. Capitalized terms used in this section, unless otherwise defined herein, shall have the same meaning as under applicable Iowa law.

This Section describes our collection, use, and disclosure of information that is linked or reasonably linkable to an identified or identifiable national person, excluding de-identified or publicly available information ("Personal Data"). You can learn more about the Personal Data we process and the purpose for processing such information in Section 1, **Information We Collect and How We Collect and Use It**, above. You can also learn more about our disclosure of Personal Data and the categories of third parties we disclose Personal Data to in Section 1 and in Section 2, **How We Share Your Information**, above.

ImOn does not engage in the Sale of Personal Data.

If you are an Iowa resident, subject to certain conditions and restrictions, you have the following rights with regard to your Personal Data:

1. *Right to Access.* You have the right know the Personal Data that we may hold about you and access such Personal Data.
2. *Right to Delete.* You have the right to request that we delete all Personal Data that you have provided to us, subject to any record retention requirements under federal law.
3. *Right to a Copy.* You have a right, with certain exceptions, to obtain a copy of your Personal Data that you provided to us.
4. *Right to Opt-Out of Sales.* You have the right to opt-out of the Sale of Personal Data, as stated above ImOn does not engage in the Sale of Personal Data.
5. *Sensitive Data.* ImOn does not collect Sensitive Data from consumers. To the extent ImOn ever processes any Sensitive Data, ImOn will provide you with clear notice of what and how we intend to process such Sensitive Data and only with your consent.
6. *Right to Opt-Out of Targeted Advertising.* You may request that we stop disclosures of your Personal Data for Targeted Advertising by managing your cookie preferences or by clicking on the Do Not Share link on the footer of our website.

7. *Right to Appeal.* If you are unsatisfied with our actions related to the exercise of one of your privacy rights above, you may appeal our decision by contacting us at the information provided in Section 10, below.

You may submit your requests related to these rights via the contact information in Section 10, below. Please note that, depending on the nature of your request, you may be asked to provide information to verify your identity before your request can be processed. We will confirm receipt of your request and respond to your request as soon as we reasonably can and no later than legally required. You may exercise your privacy rights under Iowa law free of charge up to no more than twice annually. If you make a privacy rights request, we will retain the Personal Data provided to us to fulfill your privacy rights request for our recordkeeping purposes.

#### **e. Nebraska Data Privacy Act for Nebraska Residents**

This Section applies to Nebraska residents that use our Services for individual or household purposes. Capitalized terms used in this section, unless otherwise defined herein, shall have the same meaning as under applicable Nebraska law.

This Section describes our collection, use, and disclosure of information that is linked or reasonably linkable to an identified or identifiable national person, excluding de-identified or publicly available information (“Personal Data”). You can learn more about the Personal Data we process and the purpose for processing such information in Section 1, **Information We Collect and How We Collect and Use It**, above. You can also learn more about our disclosure of Personal Data and the categories of third parties we disclose Personal Data to in Section 1 and in Section 2, **How We Share Your Information**, above.

ImOn does not engage in the Sale of Personal Data.

If you are a Nebraska resident, subject to certain conditions and restrictions, you have the following rights with regard to your Personal Data:

1. *Right to Access.* You have the right know the Personal Data that we may hold about you and access such Personal Data.
2. *Right to Correct.* You have the right to request that we correct any inaccuracies in your Personal Data, subject to the nature of the Personal Data and the purposes for which it is being processed.
3. *Right to Delete.* You have the right to request that we delete all Personal Data that you have provided to us, subject to any record retention requirements under federal law.
4. *Right to a Copy.* You have a right, with certain exceptions, to obtain a copy of your Personal Data that you provided to us.
5. *Right to Opt-Out.* You have the right to opt-out of the Sale of Personal Data, as stated above ImOn does not engage in the Sale of Personal Data.



6. *Sensitive Data.* ImOn does not collect Sensitive Data from consumers. To the extent ImOn ever processes any Sensitive Data, ImOn will provide you with clear notice of what and how we intend to process such Sensitive Data and only with your consent.

7. *Right to Opt-Out of Targeted Advertising.* You may request that we stop disclosures of your Personal Data for Targeted Advertising by managing your cookie preferences or by clicking on the Do Not Share link on the footer of our website.

8. *Right to Appeal.* If you are unsatisfied with our actions related to the exercise of one of your privacy rights above, you may appeal our decision by contacting us at the information provided in Section 10, below.

You may submit your requests related to these rights via the contact information in Section 10, below. Please note that, depending on the nature of your request, you may be asked to provide information to verify your identity before your request can be processed. We will confirm receipt of your request and respond to your request as soon as we reasonably can and no later than legally required. You may exercise your privacy rights under Nebraska law free of charge up to no more than twice annually. If you make a privacy rights request, we will retain the Personal Data provided to us to fulfill your privacy rights request for our recordkeeping purposes.

## **7. Changes to This Privacy Notice**

We may revise and update this Privacy Notice from time to time in our sole discretion, so please check back periodically for changes. You will be able to see that changes have been made by checking to see if the effective date posted at the beginning this Privacy Notice. If we elect to use or disclose information that identifies you as an individual in a manner that is materially different from that stated in this Privacy Notice at the time we collected that information from you, we will give you a choice regarding such use or disclosure by appropriate means, which may include use of an opt-out mechanism, unless restricted by law.

## **8. Violations of This Policy or Your Rights.**

If you believe that your privacy rights have been violated, please contact us immediately. We will take immediate steps to address your concerns. If you believe that you have been aggrieved as a result of our violation of applicable provisions of the Telecommunications Act, you may enforce the limitations imposed on us through a formal complaint to the FCC and/or a civil lawsuit seeking damages, attorneys' fees and litigation costs. Other rights and remedies may be available to you under federal, state or local laws.

## **9. Annual Notice and Availability of This Policy**

It is our practice to provide a copy of this Privacy Notice on our website and to all customers at the time you first contract for or subscribe to any of our Subscription Service and to provide a summary of our privacy practices or a copy of this Privacy Notice at least annually thereafter. To the extent required by applicable laws or regulations, this Privacy Notice may be supplemented by service-specific privacy policies or privacy notices (i.e., our CPNI policies for telephone and broadband subscribers and our policies covering personally identifiable information for cable customer). Subscribers may obtain a copy of this Privacy Notice by request (using the contact information and methods described herein) at any time.

## **10. How You May Contact Us**

For questions or information about deleting your ImOn Whole Home Wifi app account or if you have questions, concerns or suggestions related to our Privacy Notice or our privacy practices you may contact us at:

Email: [support@ImOn.net](mailto:support@ImOn.net)

Phone: 319-298-6484

Web: [www.ImOn.net](http://www.ImOn.net)