Open Internet Policy

ImOn Communications

Open Internet Policy

As required by the Federal Communications Commission ("FCC"), ImOn is providing you information regarding our retail broadband Internet access services, including without limitation, performance characteristics of our services, commercial terms of our service offerings and any network management practices that ImOn employs ("Services"). This information relates solely to that portion of our network devoted to providing such Services and is designed to be informational to current and prospective ImOn customers and also providers of "edge" products, which include, for example, providers of applications, devices, services and content accessed over or connected to ImOn's Services.

ImOn support the FCC's a goal to preserve the Internet as an open platform for innovation, investment, job creation, economic growth, competition and free expression. ImOn also supports the concepts of (a) transparency of information for customers to make informed choices, (b) no blocking of any lawful content, applications, services or your use of non-harmful devices, and (c) not to discriminate in transmitting lawful network traffic except as reasonably necessary to manage our network effectively for the benefit of our customers.

PERFORMANCE CHARACTERISTICS

Description of the Service

ImOn provides you with access to the Internet via cable modems linked to your personal computer or home networking device by Ethernet cable and connected to the company's hybrid fiber-coaxial (HFC) cable network. The modem enables our cable system headend to communicate with your computer, and vice versa. A dedicated portion of ImOn's network bandwidth is allocated for upstream and downstream data transmissions to and from the Internet. To provide you with Internet access, ImOn utilizes special equipment at its system headend, including a Cable Modem Termination System ("CMTS"), which manages data traffic flowing between customer computers, the cable system and the Internet. The CMTS contains "upstream" ports which process data flows from your computer to the Internet, and "downstream" ports which manage information flowing from the Internet down to your home. At the CMTS, upstream data from customer homes is passed to routers connected via fiber optic links to national Internet backbone facilities which transmits the data query to the Web site address queried by the customer. Information from that Web site then traverses in similar fashion back to the CMTS and then downstream to your computer.

Your Internet Service Speeds

ImOn provides residential and commercial customers with a variety of high-speed Internet plans from which to choose, including our Freedom 20 offering (with download speeds up to 20 megabits per second ("Mbps"), upload speeds up to 2 Mbps and very low latency of less than 60 ms), our Freedom 30 offering (with download speeds up to 30 Mbps, upload speeds up to 3 Mbps and very low latency of less than 60 ms), and our Freedom 80 offering (with download speeds up to 80 megabits per second ("Mbps"), upload speeds up to 4 Mbps and very low latency of less than 60 ms). These options allow customers to select an offering most suited to their needs – faster speed plans can result in quicker upload or download of files, can reduce delays sometimes encountered when surfing the web, and can facilitate playing games online or other real-time applications. ImOn provisions its customers' modems and engineers its network to enable its customers to enjoy the speeds to which they subscribe. However, ImOn does not guarantee that a customer will actually achieve those speeds at all times. ImOn advertises its speeds as "up to" a specific level based on the tier of service to which a customer subscribes.

The "actual" speed that a customer will experience while using the Internet depends upon a variety of conditions, many of which are beyond the control of an ISP such as ImOn. These conditions include:

Performance of a customer's computer, including its age, processing capability, its operating system, the number of applications running simultaneously, and the presence of any adware and viruses.

Type of connection between a customer's computer and modem. For example, wireless connections may be slower than direct connections into a router or modem. Wireless connections also may be subject to greater fluctuations, interference and congestion.

The distance packets travel (round trip time of packets) between a customer's computer and its final destination on the Internet, including the number and quality of the networks of various operators in the transmission path. The Internet is a "network of networks." A customer's connection may traverse the networks of multiple providers before reaching its destination, and the limitations of those networks will most likely affect the overall speed of that Internet connection.

Congestion or high usage levels at the website or destination. If a large number of visitors are accessing a site or particular destination at the same time, your connection will be affected if the site or destination does not have sufficient capacity to serve all of the visitors efficiently.

Gating of speeds or access by the website or destination. In order to control traffic or performance, many websites limit the speeds at which a visitor can download from their site. Those limitations will carry through to a customer's connection.

The performance of the cable modem you have installed. Modem performance may degrade over time, and certain modems are not capable of handling higher speeds.

This is the reason that ImOn, like all other ISPs, advertises speeds as "up to" a particular level, and does not guarantee them.

Speed Tests. Customers may test service speeds using commercial speed tests available online, such as http://www.broadband.gov/qualitytest/about. However, speed tests have biases and flaws, and should be considered only as informational and not a reflection of actual performance. While ImOn does not believe these third party tests reliably measure the speed of your service, if you are consistently testing substantially below your ImOn package speed, please contact us for assistance.

Latency referred to above is the time delay in transmitting or receiving packets on a network. Latency is primarily a function of the distance between two points of transmission, but also can be affected by the quality of the network or networks used in transmission. Latency is typically reported based on "round trip" time, expressed in milliseconds, and generally has no significant impact on typical everyday Internet usage.

COMMERCIAL TERMS

Your ImOn service is subject to our contractual terms of services, AUP, privacy policy and other policies posted at www.ImOn.net.

Pricing

Information on pricing (including options based on various speed levels available to customers) and additional offerings available to ImOn Internet customers may be obtained at **www.ImOn.net.** There are no usage-based fees for ImOn high-speed Internet customers, except possibly in cases of excessive bandwidth use. An early termination fee may apply under certain circumstances.

Information on terms of service may be obtained at www.ImOn.net.

Privacy 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.

Redress Options

If you have any question or complaints regarding these FCC-required disclosures or ImOn service, you may contact **ImOn Customer Care, Monday through Friday between 8 am – 8 pm, via email at Support@ImOn.net or call (319) 298-6484.** For After-Hours Support: call (319) 298-6484 and you will be connected to our answering service. They will be able to assist you in case of an outage or emergency. In addition, the FCC has established procedures for addressing informal and formal complaints relating to its "Open Internet" rules. For information concerning these formal and informal complaint procedures, please refer to the FCC's website at http://www.fcc.gov/guides/getting-broadband.

NETWORK MANAGEMENT

The Internet is changing all of our lives and we want our customers to enjoy all that it has to offer - from up-to-date news and information, online shopping, communications tools, movies, streaming video, music, gaming and an array of online services that help us organize our digital assets. ImOn has been at the forefront of bringing the Internet into our customers' homes and has invested in a high-capacity advanced network that is fast, safe, reliable and affordable. Like any other Internet service provider, our network management practices include growing, upgrading and optimizing the network and seeking to remove spam, viruses and malicious content.

Why does ImOn manage its network?

ImOn manages its network with one goal: to deliver the best possible broadband Internet experience to all of its customers. All Internet service providers need to manage their networks in some fashion and ImOn is no different. In fact, many of them use the same or similar tools that ImOn does. If we didn't take steps to manage our network, our customers would face greater exposure to the negative effects of spam, viruses, security attacks, and other risks and degradations of the service. By engaging in reasonable and responsible network management, ImOn can deliver the best possible broadband Internet experience to all of its customers.

How does ImOn manage its network?

ImOn uses various tools and techniques to manage its network, deliver its service, and ensure compliance with the ImOn Service Agreement. These tools and techniques are dynamic, like the network and its usage, and can and do change frequently. For example, these network management activities may include identifying spam and preventing its delivery to customer email accounts, detecting malicious Internet traffic and preventing the distribution of viruses or other harmful code or content and using other tools and techniques that ImOn may be

required to implement in order to meet its goal of delivering the best possible broadband Internet experience to all of its customers. ImOn does not employ network management techniques that manage congestion by targeting specific protocols, applications, or categories of traffic.

Does network management change over time?
Yes. The Internet is highly dynamic. As the Internet and related technologies continue to evolve and advance, ImOn's network management tools will evolve and keep pace so that we can strive to deliver an excellent, reliable, and safe online experience to all of our customers. One goal is to alleviate the affects of network congestion. While congestion is not the normal state of any network, when it happens, just like being stuck in a traffic jam on the highway, it can be frustrating. So, ImOn is constantly exploring ways to manage congestion to minimize the impact of temporary broadband traffic jams.

At ImOn, we are always actively reviewing and refining our network management tools and techniques. We will provide updates here and in other appropriate locations if we make important or significant changes to our network management techniques. Accordingly, these disclosures are subject to change at any time and without notice. Further, they are not intended to be treated as a contractual obligation between ImOn and its customers.

Does ImOn Phone service affect the speed of my Internet service in any way?
ImOn Phone service receives quality of service treatment due primarily to latency sensitivity of the service, but has no material impact on the overall availability of broadband capacity.

Does ImOn discriminate against particular types of online content?
No. ImOn takes a content neutral approach to management of its network. ImOn provides its customers with full access to all the lawful content, services and applications that the Internet has to offer. However, we are committed to the goal of protecting customers from spam, phishing and other unwanted or harmful online content and activities. ImOn uses industry standard tools and generally accepted best practices and policies to help it meet this customer commitment. In cases where these tools and policies identify certain online content as harmful and unwanted, such as spam or phishing Web sites, this content is usually prevented from reaching customers. In other cases, these tools and policies may permit customers to identify certain content that is not clearly harmful or unwanted, such as bulk email or Web sites with questionable security ratings, and enable those customers to inspect the content further if they want to do so. In addition, ImOn does not (a) discriminate among specific uses, or class of uses, on its network, (b) impair, degrade or delay VoIP applications or services that compete with its Internet services, (c) impair, degrade, delay or otherwise inhibit access by customers to lawful content, applications, services or non-harmful devices, (d) impair free expression by slowing traffic from certain websites, (e) demand pay-for-priority or similar arrangements that directly or indirectly favor certain traffic over other traffic, or (f) prioritize its own applications, services or devices.

Does ImOn employ network security practices? Yes. ImOn employs a number of practices to help prevent unwanted communications such as spam as well as to protect the security of our customers and network. In addition, ImOn currently offers its customers, at a minimal, additional monthly fee, security software from a third-party which provides certain protection against viruses, spam, inappropriate content, and data corruption. ImOn limits the number of SMTP and DHCP transactions per second (at levels far above 'normal' rates) that customers can send to ImOn's servers in order to protect them against Denial of Service (DoS) attacks. We do not disclose the exact rate limits in order to maintain the effectiveness of these measures, which ensure that these critical services are available for all of our customers. In order to further protect our customers, ImOn also manages the volume and speed of mass email communications in a variety of ways and blocks ports as needed to deter exploitation by spammers, botnets and purveyors of malware.

Does ImOn have rules regarding the attachment of devices to its network by customers? Yes. ImOn requires customers to use an ImOn tested and certified modem to connect to its network.

What is congestion management?
The bandwidth and network resources used to deliver broadband Internet access service are limited and shared among users. The FCC allows broadband Internet access service providers such as ImOn to engage in "reasonable network management practices" to ensure that our customers enjoy a high quality online experience. The use of network management tools and techniques to conserve bandwidth may cause certain users to notice slower Internet performance, such as longer download and upload times or slower responses while surfing the Internet or playing games. The effects of network management typically will be noticeable only for a brief period of time, if at all.

At the present time, in an attempt to prevent congestion, ImOn also maintains an "excessive use" policy that addresses total usage of an account to ensure that the activity of a small number of subscribers at a particular point in time does not degrade, inhibit, or interfere with the use of our network by others. Please see our AUP at www.ImOn.net for more information regarding our excessive use policy.

How can I contact ImOn if I have any questions about network management?
Any questions about ImOn service, including network management, can be addressed by contacting **ImOn Customer Care, Monday through Friday, between 8 am – 8 pm, via email at Support@ImOn.net or calling (319) 298-6484.** For After-Hours Support: call (319) 298-6484 and you will be connected to our answering service. They will be able to assist you in case of an outage or emergency. In addition, a Customer always has the right to file a complaint with the FCC at www.FCC.gov.