

PRIVACY NOTICE

During the course of providing your services, Southwest MN Broadband Services sometimes possesses personally identifiable information about you, your preferences and the services we provide you. The company does not sell, rent or otherwise disclose your personally identifiable information to any third party, for any reason that is not directly related to providing you with products and services, except as outlined in this document. We do sometimes use personally identifiable information to offer you new products and services, but you have the ability to “opt out” of such marketing at any time.

Personally identifiable information is information that identifies a particular person; it does not include de-identified, anonymous, or aggregate data that does not identify a particular person or persons.

In addition, Section 222 of the Communications Act of 1934, as amended, (the “Communications Act”) provides additional privacy protections for certain information related to our services:

- Information about the quantity, technical configuration, type, destination, location, and amount of your use of the phone and internet services; and
- Information contained on your bill concerning the type of phone and internet services and features you receive.

That information is known as Customer Proprietary Network Information or CPNI for short. This notice, which includes our CPNI Policy, describes what CPNI information we obtain, how we protect it, and how it may be used. If you use our services, you have the right, and Southwest MN Broadband Service has a duty, under the Communications Act and applicable state law, to protect the confidentiality of CPNI.

Special Note: Our CPNI Policy applies to all services we deliver to our customers. In this notice, the terms “Southwest MN Broadband Services,” “we,” “us,” or “our” refer to the operating company, subsidiaries or affiliates of Southwest MN Broadband Services.

Collection

Q - What kind of information does this notice apply to?

A - The Act applies to personally identifiable information that you have furnished to Southwest MN Broadband Services, or that Southwest MN Broadband Services has collected in connection with the provision of services. The Communications Act applies to CPNI related to our regulated phone and internet services, but we apply it to all products and services regardless of their regulatory status.

Special Note: This notice only applies to our services. It applies to you as a subscriber to one or more of these services as provided for by applicable law and except as otherwise noted. It does not cover information that may be collected through websites, even if you access them through our services. You should read the privacy policies for those other products, services, and websites to learn how they handle your personal information.

Q - For what purposes may Southwest MN Broadband Services collect personally identifiable information and CPNI?

A - The Act authorizes Southwest MN Broadband Services as a service provider to use the system to collect personally identifiable information concerning any subscriber for the following purposes:

- to obtain information necessary to render services to our subscribers; and
- to detect unauthorized reception of services.

The Act prohibits us from using the system to collect personally identifiable information concerning any subscriber for any purposes other than those listed above without the subscriber's prior written or electronic consent.

The Communications Act authorizes us to use, disclose, or permit access to individually identifiable CPNI in our provision of:

- the telecommunications services from which this information is derived; or
- services necessary to, or used in, the provision of these services, including the publishing of directories.

The Act prohibits us from using CPNI for any purposes other than those listed above except as permitted or required by law or with your approval.

Q - What kind of personally identifiable information and CPNI does Southwest MN Broadband Services collect?

A - Southwest MN Broadband Services collects information from you at several different points when you request, turn on, and use our services under an account we create for you. Some of this information is personally identifiable information, but much of it is not. We collect certain personally identifiable 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 account records include some, but typically not all, of the following information:

- your name
- service address
- billing address
- email address
- telephone number
- driver's license number
- social security number
- bank account number
- credit card number

With respect to phone services, examples of CPNI include information typically available from telephone-related details on your monthly bill:

- location of service
- technical configuration of service
- type of service
- quantity of service
- amounts of use of service
- calling patterns

While CPNI does not include your name, address, and telephone number, because the Act classifies that information as “subscriber list information” which is not subject to the CPNI protections. However, Southwest MN Broadband Services treats all subscriber information as CPNI protected.

We also collect and maintain certain other information about your account. For example, this information may include:

- your account number
- billing, payment, and deposit history
- additional service information
- customer correspondence and communications records
- maintenance and complaint information
- the device identifiers and network addresses of equipment used with your account
- records indicating the number of television sets, set-top boxes, modems, routers, telephones, home security and automation devices, or other devices connected to our system
- 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, Southwest MN Broadband Services may collect technical information about your televisions, any set-top boxes, computer hardware and software, modems, routers, telephones, other service-related devices, home security and automation 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 services as well as your landlord's name, address and phone number.

Q - What kind of information does Southwest MN Broadband Services collect if I use video services?

A - When you use video services, our system automatically generates information about your use of the services and their features, and we collect much of this information as part of providing services to you. For example, we receive information about the use of set top boxes, remote controls, electronic program guides, video players, applications, and other devices and software

connected to our system. This information includes which channels, programs, and advertisements are viewed and for how long, for example. It may also include information about navigation through program guides and applications, and use of devices like remote controls and tablets. Except as described below, we collect this *activity data* without names and addresses or other personally identifiable information and we consider it *de-identified* data.

Our system may collect activity data with personally identifiable information for particular requests or transactions like when you order a pay-per-view program or purchase a product. This information typically consists of account and billing-related information such as the programs or other products, services, or features ordered so that you may be properly billed for them. Follow your program guide commands or any special instructions on your screen when you make these transactional requests. These commands and instructions will explain your choices so that you can complete or cancel your requests as you wish.

Use

Q - How does Southwest MN Broadband Services use personally identifiable information and CPNI?

A - We collect, maintain, and use personally identifiable information and CPNI as permitted by the Communications Act and other applicable laws. We use this information primarily to conduct business activities related to providing you with services. Generally speaking, we use personally identifiable information in connection with:

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

More specifically, we also use personally identifiable 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 content, products, or services that may be of interest to you
- understand the use of, and identify improvements to, our services
- detect unauthorized 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 and update service-related devices and software
- comply with law

The Communications Act further permits Southwest MN Broadband Services to use, disclose, and permit access to CPNI obtained from our customers, either directly or indirectly, to:

- initiate, render, bill, and collect for telecommunications services
- protect our rights and property, and protect our users of these services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, these services

Southwest MN Broadband Services may not use CPNI to market products and services to you other than enhancements to services you already have without your approval in accordance with our policies described below.

Southwest MN Broadband Services transmits, and may collect and store for a period of time, personally identifiable and non-personally identifiable information about you when you use our high-speed internet and phone services to:

- send and receive email, video mail, and instant messages
- transfer and share files
- make files accessible
- visit websites
- place or receive calls
- leave and receive voice mail messages
- use the applicable services portal
- establish custom settings or preferences
- communicate with us for support
- otherwise use the services and their features

Disclosure

Q - Under what circumstances may Southwest MN Broadband Services disclose personally identifiable information to others?

A - Southwest MN Broadband Services considers the personally identifiable information contained in our business records to be confidential. The Act authorizes Southwest MN Broadband Services as a service provider to disclose personally identifiable information concerning any subscriber if the disclosure is:

- necessary to render or conduct a legitimate business activity related to the service or other services provided to the subscriber
- required by law or legal process (described below under “When is Southwest MN Broadband Services required by law to disclose personally identifiable information and CPNI by law?”)

- of the names and addresses of subscribers for “mailing list” or other purposes (subject to each subscriber’s right to prohibit or limit this disclosure and the CPNI Policy described below under “How do I place myself on Southwest MN Broadband Services ‘do not call’ and ‘do not mail’ lists?”)

The Act prohibits us as an operator from disclosing personally identifiable information concerning any subscriber for any purposes other than those listed above without the subscriber’s prior written or electronic consent.

Q - To whom may Southwest MN Broadband Services disclose personally identifiable information?

A - We may disclose personally identifiable information as provided for in the Act when 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, incident verification and response, service notifications, fraud prevention, and services to improve our programming and advertising offerings, for example. We may also collect, use, and disclose information about you in de-identified, anonymous, or aggregate formats, such as ratings surveys and 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 system. The frequency of any disclosure of personally identifiable information varies in accordance with our business needs and activities.

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

Q - When may Southwest MN Broadband Services disclose personal information to others in connection with phone service?

A - Southwest MN Broadband Services may disclose to others personally identifiable information in connection with features and services such as Caller ID, 911/E911, and directory services as follows:

- We may transmit your name and/or telephone number to be displayed on a Caller ID device unless you have elected to block such information. Please note that Caller ID blocking may not prevent the display of your name and/or telephone number when you dial certain business or emergency numbers: 911, 900 numbers, or toll-free numbers.
- We may provide your name, address, and telephone number to public safety authorities and their vendors for inclusion in E911 databases and records, inclusion in “reverse 911” systems, or to troubleshoot 911/E911 record errors.
- We may publish and distribute, or cause to be published and distributed, telephone directories in print, on the internet, and on disks. Those telephone directories may include subscriber names, addresses, and telephone numbers, without restriction to their use.

- We may also make subscriber names, addresses, and telephone numbers available, or cause such subscriber information to be made available, through directory assistance operators.
- We may provide subscribers' names, addresses, and telephone numbers to unaffiliated directory publishers and directory assistance providers for their use in creating directories and offering directory assistance services.
- Once our subscribers' names, addresses, and telephone numbers appear in telephone directories or directory assistance, they may be sorted, packaged, repackaged and made available again in different formats by anyone.
- We may, where permitted by law, provide information to credit bureaus, or provide information to collection agencies, to obtain payment for Southwest MN Broadband Services billed products and services.
- Under certain circumstances, we may share customer information with other carriers or with law enforcement, for example, to prevent and investigate fraud or other unlawful use of communications services.

We take reasonable precautions to ensure that non-published and unlisted numbers are not included in our telephone directories or directory assistance services, but we cannot guarantee that errors will never occur.

Q - When is Southwest MN Broadband Services required to disclose personally identifiable information and CPNI by law?

A - We make every reasonable effort to protect subscriber privacy as described in this notice. Nevertheless, we may be required by law to disclose personally identifiable information or individually identifiable CPNI 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.

For subscribers to our video service, Southwest MN Broadband Services may be required as an operator to disclose personally identifiable information to a third-party or governmental entity in response to a court order. If the court order is sought by a non-governmental entity, we are required under the Act to notify the subscriber of the court order. If the court order is sought by a governmental entity, the Act requires that the subscriber be afforded the opportunity to appear and contest in a court proceeding relevant to the court order any claims made in support of the court order. At the proceeding, the Act requires the governmental entity to offer clear and convincing evidence that the subject of the information is reasonably suspected of engaging in criminal activity and that the information sought would be material evidence in the case.

For subscribers to our high-speed internet or phone services, Southwest MN Broadband Services may be required to disclose personally identifiable information and individually identifiable CPNI to a private third party in response to a court order, and, if so, we are required to notify the subscriber of the court order. Southwest MN Broadband Services may also be required to disclose personally identifiable information and individually identifiable CPNI about subscribers to high-speed internet or phone services to a government entity in response to a subpoena, court order, or search warrant, for example. We are usually prohibited from notifying the subscriber of any disclosure of personally identifiable information to a government entity by the terms of the subpoena, court order, or search warrant.

Q - How does Southwest MN Broadband Services protect personally identifiable information?

A - We follow industry-standard practices to take actions identified below to prevent unauthorized access to personally identifiable 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 personally identifiable information.

- Customers are required to establish and provide a password in order to gain access to personally identifiable information.
- Company representatives may verify customer identity by calling customer back at the number of record.
- Verifying proof of valid ID matching the customer's account information.

Q - How long does Southwest MN Broadband Services maintain personally identifiable information?

A - Southwest MN Broadband Services maintains personally identifiable information about you in our regular business records while you are a subscriber to our services. 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, de-identify, or anonymize the information according to our internal policies and procedures.

Customer Access and Choice

Q - How can I see my personally identifiable information or CPNI and correct it, if necessary?

A - You may examine and correct, if necessary, the personally identifiable information regarding you that is collected and maintained by Southwest MN Broadband Services in our regular business records. In most cases, the personally identifiable information contained in these records consists solely of billing and account information. We will correct our records if you make a reasonable showing that any of the personally identifiable information we have collected about you is inaccurate.

You may also examine the records containing your personally identifiable information at our Southwest MN Broadband Services office upon reasonable prior notice to us and during our regular business hours. You will only be permitted to examine records that contain personally identifiable information about your account and no other account.

If you make an affirmative, written request for a copy of your CPNI, we will disclose the relevant information we have to you at your account address of record, or to any person authorized by you, if we reasonably believe the request is valid. However, subscribers to our phone services should be aware that we generally do not provide them with records of any inbound or outbound calls or other records that we don't furnish in the ordinary course of business (for example, as part of a bill) or which are available only from our archives, without valid legal process such as a court order. 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 our subsidiaries or us.

Southwest MN Broadband Services reserves the right to charge you for the reasonable cost of retrieving and photocopying any documents that you request.

Q - What email communications will Southwest MN Broadband Services send to me and how do I manage them?

A - We may send a welcome email and sometimes other information to new subscribers to our services (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 email announcement about a bill notification, pricing change, a change in operating policies, a service appointment, or new features of one or more of the services you receive from us. You may not opt-out of these service-related communications. If you fail to check your primary email address for service-related announcements, you may miss important information about our services, including legal notices.

Q - How do I “opt out” and place myself on Southwest MN Broadbands’ “do not call” and “do not mail” lists?

A - You may contact Southwest MN Broadband Services utilizing one of the following methods below to “opt out” of receiving marketing telephone calls or postal mail from us or on our behalf.

Contact us by Mail

Southwest MN Broadband Services
PO Box 1006
Lakefield, MN 56150

Contact us by Telephone

507-662-7000

Contact us by Email

support@mysmbs.com

Please be sure your request includes your name and address, your Southwest MN Broadband Services account number, and a daytime telephone number where you can be reached in the event we have any questions about your request. The person who is identified in our billing records as the subscriber should sign the written request. If you have a joint account, a request by one party will apply to the entire account. If you have multiple accounts, your notice must separately identify each account covered by the request.