



## Optical Communities Privacy Notice for High-Speed Internet and Home Phone Services

This statement sets forth the privacy practices and policies for Ballantyne Broadband Partners, LLC d.b.a. Optical Communities (“OC” or “we” or “us” or “our”). It includes an explanation of how the information that identifies you, referred to as Personally Identifiable Information (“PersonallInfo”), is collected; how the information is used; with whom the information may be shared; options that you have relating to such collection, use, and distribution of the information; who collects the information; and how you can correct any inaccuracies in our records.

### **Notices That Are Applicable to All Services Information We Collect**

In providing our services, we may ask you to provide or confirm your PersonallInfo, which may include but may not be limited to your name, address, telephone numbers, social security number, driver’s license number, birth date, email addresses and other information related to online bill payments. We may ask you to confirm this information from time to time as part of our precautions to identify you, or your authorized representative, when we are contacted about your account in an effort to prevent unauthorized access.

### **Use and Sharing**

We consider the PersonallInfo you provide us to be confidential and, to the extent permitted by law, use it only to support our provision of your High-Speed Internet and/or Home Phone services for such purposes as sales, operations, billing, collection efforts, installation, administration, customer care support, marketing, network management, maintenance, and communications with you.

**Sharing with Service Providers.** We do not sell your PersonallInfo to un-affiliated companies or organizations. We sometimes work with affiliates, partners, vendors, or other companies to help us in providing and/or developing our services, and may share some of your PersonallInfo for these purposes. We require all parties to assure at least the level of confidentiality we maintain. We also prohibit them from using your information for any purpose other than that for which they have been engaged. To the extent permitted by law, some of this information may be used to market new services that we offer to you. If you would prefer to limit the use of your PersonallInfo for marketing purposes, please contact us at by calling the customer service number listed on your bill.

**Aggregate Information.** We occasionally aggregate information about our customers and create data sets that do not identify individual customers. This information is not considered PersonallInfo. We use and share this aggregate information at our discretion, along with other internal data, for content, advertising and similar purposes.

**Special Exceptions.** We reserve the right to disclose your information if we have a sincere belief it is necessary to:

- Respond to fraud, abuse or other unauthorized activity.
- Comply with the law.
- Protect our rights or property or those of others.
- Enforce our policies, including those contained in our Website Users Agreement; Internet Service Agreement; CPNI Policy; and Acceptable Use Policy. These may be found on our website or in the materials you received when signing up for service.
- Transfer your information as a part of a sale or transfer of business operations to another company.

**Retention Policy.** We retain personal customer information as long as necessary, until it is no longer needed for business, tax or legal purposes.

**Disclosure Pursuant to Legal Process.** We may disclose your PersonalInfo in certain situations to government agencies, federal, state or local regulatory agencies or other entities. We regularly receive legal requests for our subscriber PersonalInfo from law enforcement and government agencies, as well as from other entities as part of civil matters (i.e., when we are served with a legal subpoena). We cooperate with these requests by providing the information required by law. Optical Communities does not volunteer customer information or give access to customer communications to law enforcement or others, except to the extent we are required to do so in the exceptions listed above. Depending on the violation of law purported and the legal process commenced, you may not always be entitled to receive notice that your PersonalInfo has been disclosed to the government or civil litigants. Some law enforcement requests specifically prohibit Optical Communities from disclosing the request or notifying you that we have received it. We do not assume any obligation to notify you of receipt of any legal requests for your PersonalInfo as a result such requests and in addition to the volume of requests received.

**Customer Verification Policies.** If you call to discuss your Optical Communities account, you will be asked to provide several personally identifiable pieces of information which may consist of but may not be limited to the following: account number, telephone number, street address, date of birth, social security number, driver's license number, account password or PIN number. Prospective and current customers may also be asked to show a government issued photo identification card. Once the requested information is provided and verified, anyone listed on your account or authorized by the main account holder can make changes to the account, which includes but is not limited to the following: increasing or decreasing service levels, changing billing periods, updating account data and closing accounts. If you suspect that someone may have made unauthorized changes to your account, please contact us immediately by calling the customer service number listed on your bill.

**Customer Information Access.**

You may access and correct the PersonalInfo we have about you. Please contact us at the customer service number listed on your bill.

**Other Terms and Changes in our Privacy Policy.** Other terms and conditions affect our service offerings, including the online privacy policies for any Optical Communities website(s), service contracts, our Acceptable Use Policy for High-Speed Internet service and the Terms of Use for our websites. Please review these policies regularly. Changes in the law or our service offerings may cause us to make changes to this and other policies.

**Notices Applicable to High Speed Internet Services**

**Internet Services.** Optical Communities collects and retains information that identifies the devices connected to the Internet through OC's High Speed Internet service, such as the IP address(es) assigned to the connection and the MAC addresses in use. We may collect connection performance information, amount of bandwidth used, and times and dates of connection to help us manage our network and to improve the services we offer.

OC's monitoring of traffic on its network is exclusively limited to network congestion management purposes for utilization monitoring, email virus and spam filtering, hostile port blocking to prevent unwanted file attacks and browser hacking, and removal of foreign routers or IP appliances on our network. We do not save information on the websites you visit. For more information, please refer to the Optical Communities Internet Service Disclosures on our website, and also to our Acceptable Use Policy for Internet Services on our website. Despite our best efforts, Optical Communities cannot guarantee the

security of our network, and cannot guarantee that information you supply will not be intercepted while being transmitted to Optical Communities over the Internet.

**Website Monitoring.** OC may use a browser feature, called a “cookie”, to help monitor user activity on our website(s). “Cookies” are generally short strings of unique random text or numbers that your browser records on your computer and that our website, and potentially other websites, can later access. This cookie does not identify a visitor, but only the computer that the visitor uses to access the OC website. We may analyze the data we receive from our website “cookies” to make our site more responsive to the needs of visitors. You have the option to program your browser not to accept cookies, but this may interfere with your enjoyment of personalized site features. The Optical Communities web servers also automatically collect limited information about your computer’s connection to the Internet, including your IP address (but not you, personally) when you visit the Optical Communities website. Optical Communities uses your IP address information to deliver Optical Communities web pages to you that you request, to tailor the content of our site to the interests of users, and to measure traffic within the site.

**Internet Access Security.** We encourage you to secure the device through which you access the Internet, as well as the devices and appliances which provide connectivity, particularly wireless (Wi-Fi) routers. Doing so can help keep the information you transmit through your broadband connection from being monitored while in transit on the Internet or on your network. Security measures may include installation of firewalls, antivirus protection with regular updates, password protected wireless devices, regularly checking for and applying security patches for software and operating systems.

### **Notices Applicable to Home Phone Service**

In providing phone services we receive usage information, including information about calls made and received and their duration. We treat this information as confidential, and its use and disclosure is governed by the Customer Proprietary Network Information rules described in this Notice. We keep records of usage information as for as long as it is necessary for business purposes. This period of time may last as long as you are a subscriber and, if necessary, for additional time so that we can comply with tax, accounting and other legal requirements. When information is no longer needed for these purposes, it is our policy to destroy or anonymize it.

**Customer Directory Listing Preferences.** Our phone customers can designate their listings as published, nonpublished or non-listed for published directories or for directory assistance services. Optical Communities cannot correct any errors in customer names, addresses, or telephone numbers appearing in, or omitted from, 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 which are not owned by us. Errors sometimes occur because of the complexity of this process and the involvement of others.

**Customer Proprietary Network Information (CPNI).** CPNI is information that relates to the type, quantity, destination, technical configuration, location, amount of use and billing information of your Optical Communities Phone services. This information is made available to us solely by virtue of our relationship with you. You have a right to restrict to the use of, disclosure of, and access to your CPNI. Under federal law, you have a right, and we have a duty, to protect the confidentiality of your CPNI. CPNI does not include your name, address, and telephone number, because federal law classifies that information as “subscriber list information” which is not subject to the protections applicable to CPNI. We may use and share your CPNI among our affiliates and agents to offer you the full range of Optical Communities services that are different from the services you purchase, such as video, Internet, and phone services. You may choose not to have your CPNI used for the marketing purposes described above by calling 1-888-981-1849 at any time (have you bill and account number available when you call). Your decision about use of your

CPNI does not affect the provision of services to you or eliminate all OC marketing contacts. Unless you call us at the number above, Optical Communities may use your CPNI to market different types of services beginning 30 days after the first time we notify you of the CPNI policy described above. You may elect at any time to add or remove a restriction on the use of your CPNI. Your choice remains valid until you change your election by calling the number above.

**Telemarketing Calls.** The FCC offers telephone subscribers the opportunity to register their residential telephone numbers in its national Do Not Call registry to help reduce unwanted telemarketing calls, not affiliated with Optical Communities,. You may register for the list without charge by calling the FTC at 1-888-382-1222 or TYY 1-866-290-4236 from the telephone number you are registering or online at [www.donotcall.gov](http://www.donotcall.gov).

**Additional Information.** For any additional information that may not be covered within this Privacy Notice, please contact Optical Communities.

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