

OPEN INTERNET POLICY

Eagle Telephone adopts this Open Internet Policy to promote the Internet as an open platform enabling customer choice, freedom of expression, end-user control, competition, and the freedom to innovate without permission.

No Unreasonable Discrimination: Eagle Telephone does not unreasonably discriminate in transmitting lawful network traffic over a customer's broadband Internet access service, subject to reasonable network management. Reasonable network management practices are set out below.

Eagle Telephone does not:

- Discriminate among specific uses, or class of uses, of its network
- Impair, degrade or delay VoIP applications or services that compete with its voice services or those of its affiliates
- Impair, degrade, delay or otherwise inhibit access by customers to lawful content, applications, services or non-harmful devices
- Impair free expression by actions such as slowing traffic from particular web sites or blogs
- Demand pay-for-priority or similar arrangements that directly or indirectly favor some traffic over other traffic
- Prioritize its own application, services or devices or those of its affiliates

No Blocking: Eagle Telephone does not block lawful content, applications, services, or non-harmful devices, subject to reasonable network management. Network management practices are set forth below.

TERMS AND CONDITIONS OF SERVICE AND NETWORK MANAGEMENT PRACTICES

General: Eagle Telephone manages its network to provide quality service to its customers. Eagle Telephone cannot guarantee that it can prevent spam, viruses, security attacks, network congestion and other actions which can affect service, but does use various filters, monitoring efforts and other measures to minimize the effects of spam, viruses, security attacks, network congestion and other actions which can affect the service provided to customers.

Congestion: Eagle Telephone has not experienced substantial problems with congestion. However, it may be possible that there are congestion events that may occur in the future, particularly as it may be related to the service capacity from third parties used by Eagle

Telephone to provide the customer with access to the world. Such service capacity is outside the control of Eagle Telephone.

Where feasible, Eagle Telephone will address congestion issues through improvements to its network or the capacity purchased from other providers needed to connect to the outside world. Such processes take time to implement and may not be feasible in all situations. Therefore, Eagle Telephone reserves the right to monitor and identify which customer accounts are using the greatest amount of bandwidth during periods of heavy congestion and to work to provide solutions to address those issues. If a preferred solution cannot be worked out with the customer or customers, Eagle Telephone reserves the right to manage the Internet traffic of high volume customers during periods of significant congestion. This means that the affected customers will still be able to access the Internet and engage in activities that they desire, but during certain periods of time they may experience conditions such as longer times to download or upload files, slower access and slower movements during online game playing. It is expected that any periods of traffic management due to congestion will be brief and infrequent.

Use of Network: In no case will Eagle Telephone discriminate among customers on the basis of the type of content, applications, services or devices which the customer uses.

Applications: Customers may use any lawful and commercially available application which they desire. Eagle Telephone does not normally monitor the contents of the traffic or applications of the customers and undertakes no obligation to monitor or investigate the lawfulness of any specific application used by a customer.

Eagle Telephone will only take steps regarding an application-specific behavior by a customer if there is a reasonable belief that the application will cause harm to Eagle Telephone's network or is unlawful, including but not limited to, violating intellectual property rights.

Devices: A customer may use any lawful, compatible type-accepted and commercially available device which they desire on the network provided by Eagle Telephone, as long as such device does not harm the network and is not unlawful.

Security: While Eagle Telephone uses various security measures it deems appropriate, Eagle Telephone undertakes no obligation to monitor or protect customer traffic from spam, viruses, denial of service attacks or other malicious, unlawful or unwarranted activities. Eagle Telephone does not guarantee that it can protect customers from any or all security breaches. The customer is using this service at his or her own risk. Customers are cautioned to purchase their own spam filtering and antivirus software from commercial vendors to meet their needs. However, a customer that is subject to spam, virus, denial of service attack or similar malicious, unlawful or unwarranted activities is urged to contact Eagle Telephone as soon as possible. Eagle Telephone will work with the customer on how the customer can take appropriate and economically reasonable efforts to address the matter.

Other Matters: Other terms and conditions for use are found in Eagle Telephone's DSL Terms and Conditions of Use at eagletelphone.com/docs/dsl_terms.pdf and Fiber Terms and Conditions

of Use at eagletelephone.com/docs/FiberContract.pdf. If there is a conflict between this Policy and the terms of the applicable contract, the contract terms control.

PERFORMANCE CHARACTERISTICS

The pricing and service levels for the service provided by Eagle Telephone can be found at www.eagletelephone.com/services_internet.shtml. The service provided is a DSL type of service consisting of fiber optic and copper digital facilities. Expected access speeds in the DSL portions of the network range from 768Kbs to 4.5Mbps, depending on the actual lengths of the respective fiber trunks and copper lines. Fiber to the home service is provided over fiber optic cable and speeds vary from 3.5Mbps to 5.5Mbps, depending on electronics used.

Actual access speeds and delay times or latency are impacted by the length, capacity and congestion of transport facilities purchased by Eagle Telephone from third party providers. Eagle Telephone cannot guarantee that it will be able to obtain capacity from these third party providers at commercially reasonable prices if and when additional third party capacity is needed to reach Internet nodes.

Eagle Telephone's ability to deliver the speeds set forth above may be affected by significant use of specialized services such as Internet-based video services. This is a growing area and its effect on Eagle Telephone's ability to provide service at the speeds listed above are unknown at this time.

PRIVACY

As a general statement, Eagle Telephone does not usually entail inspection of network traffic. Eagle Telephone does retain and store certain traffic information for time periods required by federal and state law, including, but not limited to, the identity of the customer using a particular IP address during a specific period of time. Eagle Telephone does assist law enforcement and provides traffic information that it may have available to it when requested pursuant to the Communications Assistance for Law Enforcement Act, the Foreign Intelligence Surveillance Act and other applicable national and state security and criminal statutes.

EAGLE TELEPHONE DOES NOT COLLECT, STORE OR USE TRAFFIC INFORMATION TO PROFILE ITS CUSTOMERS IN ORDER TO SELL ADDITIONAL SERVICES TO THEM OR FOR NON-NETWORK MANAGEMENT PURPOSES.

COMPLAINTS

If a customer has complaints about the service, they are urged to contact Mike Lattin, President, Eagle Telephone System, Inc.; at 541-893-6111. A customer always has the right to file a complaint with the Federal Communications Commission at www.fcc.gov.

RESERVATION OF RIGHTS/AMENDMENTS

In the event of any conflict between material found on other links on Eagle Telephone's web site and this Open Internet Policy, the more specific terms at the other links shall control.

Eagle Telephone may modify this Policy and other policies it has linked for the customer from time to time at its discretion. Notice of such changes will be posted on this web site. However, individual notice to customers, content providers, application providers, service providers or device providers by any means whatsoever shall not be provided unless specifically required to by federal or state law. Notice of changes will be provided in advance normally upon a thirty day basis. However, Eagle Telephone reserves the right to use a shorter notice period when circumstances so warrant.