

## **Spencer Municipal Utilities Network Management Practices Policy Disclosure**

Pursuant to the Federal Communications Commission's Restoring Internet Freedom Declaratory Rules, Report and Order and Order, Spencer Municipal Utilities' (SMU) policies regarding network management practices, performance characteristics, and commercial terms are provided in entirety so that Provider's current customers, prospective customers, third-party content providers and other interested parties can make informed choices regarding the broadband Internet access services offered by Provider, and the extent Provider's network management practices may affect those services.

### **Network Management Practices**

In the interest of providing the best online experience possible for all of SMU's Internet customers, SMU utilizes reasonable network management practices tailored to achieve legitimate network management purposes. Because bandwidth is a limited resource for broadband Internet service providers, it is essential that SMU reasonably manages its network to promote the use and enjoyment of the Internet by all of SMU's customers. By engaging in reasonable and responsible network management, SMU uses its best efforts to deter its customers from being subjected to the negative effects of spam, viruses, security attacks, network congestion, and other risks that threaten to degrade service. The network management practices employed by SMU are consistent with industry standards.

### **Congestion Management**

SMU does not employ any congestion management tools, practices and/or software on network traffic and follows industry standards.

### **Application-Specific Behavior**

SMU does not make use of any application-specific network management practices. SMU does not favor, modify, inhibit, rate control or block any specific protocols, protocol ports or fields, or any applications or classes of applications.

### **Device Attachment Rules**

In order for a device to be approved for use on the SMU's network, the device must conform to publicly available industry standards and be non-harmful to SMU's network.

### **Security**

SMU offers its customers unrestricted access to all of the lawful content, services, and applications available on the Internet. SMU uses industry standard tools and generally accepted best practices and policies to protect our customers from spam, phishing, and other unwanted or harmful online content and activities. In the instances where these tools and policies identify online content as harmful or unwanted, the content may be

prevented from reaching customers, or customers may be permitted to identify or inspect content to determine if it is harmful or unwanted.

## Performance Characteristics

SMU offers broadband Internet access service via DSL, FTTH and HFC.

The advertised speed of SMU's Internet service is the maximum speed achievable with the technology utilized by SMU. While the maximum advertised speed is attainable for end users, several factors may affect the actual speed of SMU's Internet service offerings, including, but not limited to: the distance of the consumer's home or office from SMU's central office (*i.e.*, the further away the customer is from the central office, the slower the broadband speed), the end user's computer, modem or router, activity during peak usage periods, and other Internet traffic as well as a wired or wireless connection.

Based on internal testing, the mean upload and download speeds are 50 and 10. Speeds are between the SMU central office and the end user. Speeds from SMU's central office and the internet backbone may vary based on other provider's networks. The expected latency of our service is 50ms or less.

The actual speeds achieved with SMU's Internet service offering make SMU's Internet service suitable for real-time applications, such as Voice over Internet Protocol ("VoIP").

SMU offers the following specialized services: VoIP with no anticipated effect on broadband services.

## Commercial Terms

Refer to our Communications Policy for Commercial Terms:  
<https://smunet.net/communications/>

## Pricing

In order to meet the usage and budgetary needs of all of our customers, SMU offers a wide selection of broadband Internet access plan options, including promotional offerings, bundled service choices, and ala carte alternatives.

To see SMU's current promotions and pricing on broadband Internet access service, please visit our website [www.smunet.net](http://www.smunet.net), or call 712-580-5800 to speak with a customer service representative.

## Early Termination Fees

Refer to our Communications Policy for Early Termination Fees:  
<https://smunet.net/communications/>

## **Usage-Based Fees**

SMU's Internet service is priced on a flat-fee basis (plus taxes). SMU does not charge end users a usage-based fee for Internet service.

## **Privacy Policy**

SMU affords full access to all lawful content, services and applications available on the Internet and does not routinely monitor, inspect or store the network activity and traffic of its Internet service users. However, SMU reserves the right to monitor bandwidth, usage, transmissions and content for purposes of protecting the integrity of the network and Provider's Internet access service through reasonable network management practices.

SMU may collect equipment information to identify the equipment customer is using on the network, including, but not limited to: equipment type, serial number, settings, configuration and software. SMU may also collect performance information to examine the operation of the equipment, services and applications the customer may use on the network, including, but not limited to: IP addresses, URLs, data transmission rates and latencies, location information, security characteristics, and information about the amount of bandwidth and other network resources customer is using in connections with uploading, downloading or streaming data to and from the Internet.

Network traffic, activity, performance information, and equipment information monitored or collected by SMU is done so for the sole purpose of reasonable network management purposes.

SMU is required to comply with relevant laws, regulations and judicial orders. Information covered under this Privacy Policy, as well as other categories of information, may be disclosed to third parties if SMU determines, in its sole discretion, that such a disclosure is necessary or required. SMU may also disclose this information if, in its sole discretion, such a disclosure is necessary or required to protect our interests or the interests of our customers. SMU may also disclose this information in connection with the sale of our business.

SMU's network management practices as discussed herein are intended solely to provide the best online experience possible for all of SMU's customers by safeguarding our network and its users from spam, viruses, phishing, and other unwanted or harmful online content and activities. SMU's network management practices are not intended, nor implemented, to block consumers from accessing the content and applications of their choice, deprive consumers of their entitlement to competition, or discriminate against or in favor of certain network traffic. End users with questions, concerns or

complaints regarding SMU's network management practices are encouraged to contact SMUI for issue resolution.

## Contact Us

If you have any questions regarding SMU's Network Management Practices Policy or would like to file a complaint with Provider regarding its network management practices, please contact Provider at:

Spencer Municipal Utilities  
Telecommunications Manager  
520 2<sup>nd</sup> Avenue East, Suite 1, Spencer, IA 51301  
p: 712-580-5800  
f: 712-580-5888  
customerservice@smunet.net  
www.smunet.net

Further, if you believe that Provider is in violation of the FCC's Open Internet Rules, you may file either an informal or formal complaint with the FCC.

<http://esupport.fcc.gov/complaints.htm>

## Additional Disclaimers

The Open Internet Rules, as adopted, and SMU's Network Management Practices Policy are not intended to affect, alter or otherwise supersede the legal status of cooperative efforts by broadband Internet access service providers and other service providers that are designed to curtail infringement in response to information provided by rights holders in a manner that is timely, effective, and accommodates the legitimate interests of providers, rights holders, and end users.

Furthermore, the Open Internet Rules, as adopted, and SMU's Network Management Practices Policy do not prohibit Provider from making reasonable efforts to address the transfer of unlawful content or unlawful transfers of content.

For additional information, please review SMU's Acceptable Internet Use Policy/Subscriber Agreement at:  
<https://smunet.net/communications/internet/acceptable-use-policy/>.