

FOOTHILLS COMMUNICATIONS

NETWORK TRANSPARENCY STATEMENT

Foothills Communications (“Foothills” or “Company”) provides this Network Transparency Statement in accordance with the FCC’s Restore Internet Freedom Rules to ensure that you have sufficient information to make informed choices about the purchase of broadband services. Information about Foothills’ other policies and practices concerning broadband are available at www.foothills.net (“Foothills Website”).

Foothills engages in network management practices that are tailored and appropriate for achieving optimization on the network considering the particular network architecture and technology of its broadband Internet access service. Foothills’ goal is to ensure that all of its customers experience a safe and secure broadband Internet environment that is fast, reliable and affordable. Foothills wants its customers to indulge in all that the Internet has to offer, whether it is social networking, streaming videos and music, to communicating through email and videoconferencing.

Foothills’ network management includes congestion- and security-protocol-management and customers generally will not be impacted by the protocols and practices that Foothills uses to manage its network.

A. Foothills’ Network Transparency Disclosures

Foothills uses various tools and industry standard techniques to manage its network and deliver fast, secure and reliable Internet service. Foothills believes in full transparency and provides the following disclosures about its network management practices:

- 1. Blocking:** Foothills does not block or discriminate against lawful content.
- 2. Throttling:** Foothills does not throttle, impair or degrade lawful Internet traffic.
- 3. Affiliated Prioritization:** Foothills does not prioritize Internet traffic and has no plans to do so.
- 4. Paid Prioritization:** Foothills has never engaged in paid prioritization. We don’t prioritize Internet for consideration to benefit particular content, applications, services or devices. Foothills does not have plans to enter into paid prioritization deals to create fast lanes.
- 5. Congestion Management:** Foothills monitors the connections on its network in the aggregate on a continuous basis to determine the rate of utilization. If congestion

emerges on the network, Foothills will take the appropriate measures to relieve congestion.

On Foothills' network, all customers have access to all legal services, applications and content online and, in the event of congestion, most Internet activities will be unaffected. Some customers, however, may experience longer download or upload times, or slower surf speeds on the web if instances of congestion do occur on Foothills' network.

Customers using conduct that abuses or threatens the Foothills network or which violates the company's Acceptable Use Policy, Internet service Terms and Conditions, or the Internet Service Agreement will be asked to stop any such use immediately. A failure to respond or to cease any such conduct could result in service suspension or termination.

Foothills' network and congestion management practices are 'application-agnostic', based on current network conditions, and are not implemented on the basis of customers' online activities, protocols or applications. Foothills' network management practices do not relate to any particular customer's aggregate monthly data usage.

Foothills monitors its network on a continuous basis to determine utilization on its network. Foothills also checks for abnormal traffic flows, network security breaches, malware, loss, and damage to the network. If a breach is detected or high volume users are brought to light by complaint, Foothills provides notification to the customer via email, phone or mail. If a violation of Foothills' policies has occurred and such violation is not remedied, Foothills may seek to suspend or terminate that customer's service.

6. **Application-Specific Behavior:** Except as may be provided elsewhere herein, Foothills does not currently engage in any application-specific behaviors on its network. Customers may use any lawful applications with Foothills.
7. **Device Attachment Rules:** For best results, network gateways used on the Foothills broadband network should be provided by Foothills. Customers may attach devices of their choosing to their ONT/Fiber Ethernet connection, including wired or wireless routers, laptops, desktop computers, video game systems, televisions, or other network-enabled electronics equipment. However, **customers** are responsible for ensuring that their equipment does not harm Foothills' network or impair the service of other customers. Foothills is not responsible for the functionality or compatibility of any equipment provided by its customers. Customers are responsible for securing their own equipment to prevent unauthorized access to Foothills' broadband network by third parties and will be held responsible for the

actions of such third parties who gain unauthorized access through unsecured customer equipment.

- 8. Network Security:** Foothills knows the importance of securing its network and customers from network threats and annoyances. The company promotes the security of its network and patrons by protections from such threats as spam, viruses, firewall issues, and phishing schemes. Foothills also deploys spam filters in order to divert spam from an online customer's email inbox into a quarantine file while allowing the customer to control which emails are identified as spam. Customers may access the spam files through the email. Spam files may be automatically deleted if not accessed within 30 days.

As its normal practice, Foothills does not block any protocols, content or traffic for purposes of network management, but Foothills may block or limit such traffic as spam, viruses, malware, or denial of service attacks to protect network integrity and the security of our customers.

B. Network Performance

1. Service Descriptions

Foothills deploys Internet access to its subscribers via Fiber to the Premises ("FTTP") technology. The service will be media converted from the fiber optic uplink (GPON, P2P) to a normal 10/100/1000mbps Ethernet connection using a device called an Optical Network Terminal ("ONT"). In some cases, a business may purchase a special internet service that may handoff directly using fiber where a ONT is not required.

2. Network Performance

Foothills makes every effort to support advertised speeds and will dispatch repair technicians to customer sites to perform speed tests as needed to troubleshoot and resolve speed and application performance caused by Foothills' network. Foothills measures availability, latency, and aggregate utilization on the network and strives to meet internal service level targets.

However, the bandwidth speed at which a particular distant website or other Internet resources may be downloaded, or the speed at which your customer information may be uploaded to a distant website or Internet location is affected by factors beyond Foothills' control, including the speed of the connection from a distant web server to the Internet, congestion on intermediate networks, and/or limitations on your own computer equipment, including a wireless router. In addition, your service performance may be affected by the inside wiring at your premise. Accordingly, you, the customer, must consider the capabilities of your own equipment when choosing a Foothills broadband service. Your computers and/or wireless

or other networks in your homes or offices may need an upgrade in order to take full advantage of the chosen Foothills broadband plan.

Foothills tests each service for actual and expected access speeds at the time of network installation to demonstrate that the service is capable of supporting the advertised speed. Customers may also test their actual speeds using the speed test located at <http://foothills.speedtest.net/> and may request assistance by calling our business office at 606-297-3501 or by email at frtcc@foothills.net.

DOWNLOAD & UPLOAD SPEEDS

Download Speeds

ADVERTISED	ACTUAL SUSTAINED	PERCENTAGE DIFFERENTIAL
50 Mbps	50 Mbps	0%
100 Mbps	100 Mbps	0%
250 Mbps	251 Mbps	0%
1 Gbps*	941 Mbps	-6%

Upload Speeds

ADVERTISED	ACTUAL SUSTAINED	PERCENTAGE DIFFERENTIAL
50 Mbps	50 Mbps	0%
100 Mbps	100 Mbps	0%
250 Mbps	250 Mbps	0%
1 Gbps*	939 Mbps	-6%

*** TCP Throughput shown in table. Service is provided over a 1 Gbps Ethernet Connection running at line rate, however due to overhead of protocols such as IP and TCP the TCP throughput is lower than 1 Gbps.**

3. Impact of Non-BIAS Data Services

Real time services, such as Non-BIAS services, include Voice over Internet Protocol (VoIP) and Internet Protocol (IP) video services, command optimal bandwidth. As Non-BIAS traffic is combined with general Internet traffic on Foothills' network, broadband customers could experience service delays, although very unlikely, if there is an occurrence of congestion on

Foothills' network. In any such event, the Non-BIAS traffic is given priority over general Internet traffic.

Foothills provides Voice-over-the-Internet-Protocol (VoIP) to its customers. The VoIP traffic uses private RFC 1918 addresses, dedicated paths for VoIP and QoS on the routers/switches it touches. Where VoIP traffic is combined with best effort Internet traffic and QoS priority is employed, the network could endure marginal delays if there are instances of bandwidth contention, although very unlikely.

The Company offers IP video service to end-users. This non-BIAS data service does not adversely affect the last-mile capacity available for the Company's broadband Internet access services, or the performance of such services. Customer should note that significantly heavier use of non-BIAS services (particularly IP video services) may impact the available capacity for and/or the performance of its broadband Internet access services. The Company will monitor this situation and appreciates feedback from its customers.

C. Commercial Terms

Pricing and additional service information may be found [here](#).

In addition to this Network Transparency Statement, patrons may also find links to the following on the Foothills Website:

- [Privacy Policy](#)
- [Acceptable Use Policy](#)

For questions, complaints or requests for additional information, please contact Foothills at:

Business Office at **606-297-3501**

Email at frtcc@foothills.net