

PRIVACY AND SECURITY

NewWave will provide you with a copy of its privacy notice at the time Service is installed, and annually afterwards, or as otherwise permitted by law. Customer can view the most current version of the privacy notice by going to www.newwavecom.com/privacypolicy.pdf . Customer assumes all privacy, security and other risks associated with providing personally identifiable information to third parties via the Services. For a description of the privacy protections associated with providing information to third parties, you should refer to the privacy policies, if any, provided by those third parties. (NewWave is not responsible for any information provided by Customer to third parties, and this information is not subject to the privacy provisions of this Agreement or the NewWave privacy policy for the applicable Services). To the extent that NewWave is expressly required to do so by applicable law, NewWave will provide notice to you of a breach of the security of certain personally identifiable information.

Customer agrees that NewWave may collect and disclose information concerning Customer and Customer's use of the Services in the manner and for the purposes set forth here and in NewWave's Privacy Notices. In order to protect the privacy of Customer's account information, NewWave may require that Customer use a security code or other method, in addition to the user name and password to confirm Customer's identity when requesting or otherwise accessing account information, making changes to the Service or performing other functions related to the Service through NewWave's customer service representatives. Customer may also choose to designate an authorized user of Customer's account (an "Authorized User"), who will be able to access Customer's account information and make changes to Customer's account. Once established, an Authorized User will be required to authenticate his/her identity in the same manner as Customer and according to NewWave's policies.

SUBSCRIBER PRIVACY NOTICE

Companies controlled by NewWave Communications operate cable television systems through which they provide Customers with cable television programming services and Internet access and phone services through our cable facilities. Not all services may be available in your local cable system. The Cable Communications Policy Act of 1984 (which we refer to as "the Cable Act") contains restrictions on the disclosure and use by cable operators of personally identifiable information about subscribers to cable television or certain other services. Other federal law may also apply to some services, including the Electronic Communications Privacy Act of 1986 (called "the ECPA" in this notice). This notice informs subscribers of our policies regarding personally identifiable information we obtain in the course of providing our services that are subject to the privacy provisions of the Cable Act. Those services currently consist of our cable television service, our Internet access service and our phone service. Not all of these services may be available in your local cable system. Our policies are intended to conform to the requirements of the Cable Act, the ECPA and other applicable law.

Please review this privacy notice in conjunction with our Terms and Conditions of Residential Service. We will provide you copies of this privacy notice annually, whether or not we have revised the statement. We may modify this privacy statement at any time. We will notify you of any material changes through written, electronic or other means as permitted by law. If you find the changes unacceptable, you have the right to cancel service. If you continue to use the service following notice of the changes, we will consider that to be your acceptance of and consent to the changes.

The term “NewWave,” “we,” “our” or “us” refers to any company that is controlled by NewWave Communications and through which you subscribe to any cable or other service covered by the privacy provisions of the Cable Act.

This notice tells you our policies regarding:

The types of personally identifiable information we collect.

How we use that information.

The nature, frequency and purpose of any disclosure we may make of that information and the types of persons and entities to which the disclosure may be made.

The period during which we will keep that information.

The choices available to you regarding collection, use and disclosure of that information, including the times and place at which you may have access to that information.

Certain rights you may have regarding that information.

As the term suggests, information is “personally identifiable: if it can be used to identify or contact an individual, such as his or her name and address or telephone number. It also includes information when actually linked to data about an individual’s activities or history to that individual, such as the combination of the individual’s name with the fact that he or she purchased a specific product online, so that someone else with access to the combined information could learn that the named person bought the particular item. Information that does not permit an individual to be identified or contacted and that does not permit information about his or her activities or history to be linked to him or her is not “personally identifiable information.” Among other things, this means that if we separate data about your activities from your name or other data that specifically identifies you, then that data is no longer “personally identifiable information.” For example, we might compile data we have about our NewWave Internet customers into aggregate or other anonymous forms, such as the monthly average number of customers who use the service to visit travel-related Websites.

Our policies described in this notice apply to personally identifiable information about you that you furnish or we otherwise collect in the course of providing you with one of our services referred to in this Notice. It applies to such information whether we obtain it “online” (such as when you subscribe for our cable service on a Website we operate) or “offline” (such as when you subscribe for our cable service using the telephone or a paper order form). Please note, however, that if you use a Website we operate for purposes of our cable or other services, then additional online privacy policies may apply that cover topics unique to Internet usage, such as use of “cookies” or other technology for tracking Internet usage.

Some of our services, including Internet service, interactive cable television programming and phone services allow you to interact with companies and individuals that are independent of NewWave. By using those services, you may enable these companies or individuals to independently learn personally identifiable information about you. The policies in this notice do not apply to personally identifiable information that you provide to any of these third parties or that they collect independently of us. These third parties may have their own privacy policies, but NewWave is not responsible or liable for your disclosure of personally identifiable information to

such third parties, the contents of such third party policies, disclosure of such third party policies or failure of any third party to follow those policies.

Types of Personally Identifiable Information We Collect and How We Use It

We collect both personally identifiable information and non-personal information about you when you subscribe to our services. We collect personally identifiable information about You only when: (a) it is necessary to provide our services to you; and (b) to prevent unauthorized reception of services. We will not collect your personally identifiable information for other purposes without prior written or electronic consent. We also collect personally identifiable and non-personal information about you when you voluntarily provide information to us, as may be required under applicable law and from third parties, and as described in this Notice. Personally Identifiable Information does not include information that is collected anonymously (i.e., without identification of the individual or household) or demographic information not connected to an identified individual or household. This personally identifiable information may include, but is not necessarily limited to, the following:

Your name, home and work e-mail and postal addresses, telephone numbers, fax number, social security number, birth date, driver's license number or state ID number, credit or debit card numbers, financial profiles, and expiration dates and bank account information for billing purposes, payment history, spouses or other relatives' names, and credit reports.

Depending on the services we provide to you, information on the number, location within your home and configuration of television sets, converters, cable modems, personal computers, telephones or other service-related equipment or devices in your home.

Maintenance and repair records for the equipment in your home used for the services.

The services and service options you have chosen.

Information about your satisfaction or usage of a service that we obtain from subscriber interviews or questionnaires or other feedback from you.

Record of whether you rent or own your home so that we can obtain any permission required prior to installing our cable or equipment.

Customer correspondence (via e-mail or otherwise).

A record of any violations and alleged violations of the agreements, terms, conditions or policies that govern your use of our service.

In general, we use the personally identifiable information as necessary to render our services to you, to detect unauthorized reception of cable programming and for tax, legal, accounting and other purposes related to our business of providing our services to Customers, including, but not limited to, the following:

- To make sure you are being billed properly and pay for the services you receive.
- To send you pertinent announcements about the NewWave services you receive.
- To improve the quality of NewWave's services.
- To answer questions from Customers such as troubleshooting.

- To send promotional material or information to you about other products and services available from NewWave or others, subject to applicable law and any “opt-out” choice you make as described below in this document.

Some of the information collected from you may include data on viewing habits. We may provide anonymous data to third parties who may combine it with other information to conduct more comprehensive audience analysis for us and for television advertisers. In addition, certain information such as your connections to our system is automatically collected to, for example, make it possible for your digital boxes to receive and process the signals for the services you order. We also collect this information so we may provide updates, upgrades, repairs or replacements for any of our cable service-related devices or software used in providing or receiving cable services. Additional information also allows us to tailor our cable and other services, as well as develop and market new services, to better fit your needs. We may also collect personally identifiable information from third parties to enhance our customer database for use in marketing and other activities. We also collect personally identifiable information from third parties to verify information you have provided us and collect personally identifiable information from credit reporting agencies to, for example, determine your creditworthiness, credit score, and credit usage. We also may maintain research records containing information obtained through voluntary subscriber interviews or surveys.

If you use NewWave’s Internet service, transactional video products such as pay-per-view or video on demand, or a phone service we provide, then as a necessary incident of providing that service, our computer systems automatically capture and store information that may include, but is not limited to, the Websites you visit; the dates, times and length of your Internet visits or telephone calls; the Internet or e-mail addresses or telephone numbers that you communicate with; and the text of e-mail or other electronic communications you send or receive using our Internet access service. Any personally identifiable information that may be derived from these logs is subject to the policies described in the Notice and to our obligations under the ECPA and other applicable law.

Voice Service Customers- Additional legal limitations may exist with respect to certain information concerning a customer’s phone services. This information is referred to as “customer proprietary network information” or “CPNI” and includes the following information when linked to your name, address and telephone number: (1) quantity, technical configuration, type, destination, and amount of your use of telephone service; and (2) information contained on your telephone bill concerning the phone services that you receive. CPNI does not, however, include your name, address and telephone number.

Except as required by law, we do not disclose this information to third parties. We do use this information to offer you new communications-related services and pricing plans. If you do not want us to use your CPNI for these purposes, please call the customer service number listed on your monthly billing statement or send us a written notice stating your request to the local NewWave office at the address on your monthly billing statement.

If you would like us to offer you information on video or other non-communications services or our bundled offers, please contact us in any of the same ways. Consenting to allow us to use your CPNI will help us to offer you our newest offerings and services. Your consent will remain in effect until you notify us you want to revoke or change it. Any action you take to deny or restrict approval to use your CPNI will not affect our provision, now or in the future, of any service to which you subscribe. You may compel us to disclose CPNI to any person upon your affirmative written consent. We may use, disclose, or permit access to CPNI to protect our rights or property, or to protect users of our services and other carriers from fraudulent, abusive, or unlawful use of,

or subscription to, such services. We may also disclose your CPNI to the extent authorized by law. For more detail regarding our use of CPNI, see our CPNI Policy at the end of this document.

Telephone directory listings and caller-ID – We offer our phone customers the ability to designate their listings as non-published within print or electronic directories or directory assistance services. Because of the complexity of this process and the involvement of other entities in publishing, errors may occur from time-to-time. Your name and/or telephone number may also be transmitted and 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 numbers, 911, 900 numbers or toll free numbers.

Disclosure of Personally Identifiable Information by Us

We may make certain disclosures to third parties of personally identifiable information about you if such disclosures are permitted or required under federal or applicable state law or if you consent to such disclosures. Disclosures to governmental entities as required by law or a subpoena or legal process are discussed below under the caption “**Disclosure to Governmental Agencies or Otherwise Required by Law or Legal Process.**” Under this caption, we address disclosure under other circumstances.

As permitted by the Cable Act, NewWave from time to time may disclose, without your written consent, personally identifiable information about you if necessary to render, or conduct a legitimate business activity related to, a cable service or other service provided to you. The kinds of persons or entities to which we may make such disclosures include, but are not necessarily limited to, the following:

- Persons or entities that control, are controlled by or under common control with NewWave.
- Independent third party contractors with whom NewWave has an ongoing business relationship to provide components of the services we provide to customers.
- Billing services, collection agencies and credit agencies.
- Installation contractors and subcontractors.
- Sales representatives used to market our services.
- Accountants, lawyers, consultants and other professionals we or our affiliated companies use in our businesses.
- Cable programming or content suppliers and program guide distributors.

In addition, if NewWave or its affiliates directly or indirectly transfer ownership of or an interest in all or part of the business we conduct to the purchaser, investor or other party and its attorneys, accountants and advisors. This kind of transaction could take the form of a merger, sale of stock or assets, formation of a joint venture, investment or some other structure.

Information we disclose for purposes relating to billing and levels of service usage is generally provided on a monthly basis. Information for other purposes is provided as it is needed and the frequency of disclosure varies according to our business needs.

As permitted by the Cable Act, we may also from time to time disclose lists of our subscribers to third parties for purposes other than those referred to above. Those lists may contain your name and address, so long as we have given you the opportunity to prohibit or limit such disclosure and

we do not also reveal, directly or indirectly, the extent of any viewing or other use of the services we provide to you or the nature of any transaction you make using those services. This permits us, among other things, to disclose your name and address to charities, advertisers, direct mail marketers and telemarketers for use in telephone or mail solicitations, market research or other purposes. You have the right to elect not to be included on such a list. If you do not desire to be included on any such list, you may “opt out” by completing the “Mailing List Opt-Out Form” that is included with this notice.

If you use the NewWave Internet access service or our phone service to send or receive an e-mail message or other electronic communication, the ECPA permits us to access the content of those communications. It also permits us to disclose such information to an addressee or intended recipient (or his or her agent); to a person involved in forwarding such information to its destination or when it is necessarily incident to providing service or to protect our rights or property; or to any one with the consent of the subscriber or an addressee or intended recipient (or his or her agent).

With respect to users of NewWave Internet access service 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 in court or elsewhere or directly with you, and for detection of and enforcement against violations of terms of service and policies [(including our Acceptable Use Policy)]. We may also disclose personal information about you and/or your account in order to comply with the Digital Millennium Copyright Act or any other laws.

Disclosure to Governmental Agencies or Otherwise Required by Law or Legal Process

It is possible that one or more third parties, including a governmental entity may seek to require us to disclose personally identifiable information about you pursuant to law, through a warrant, subpoena or order issued by a court or by other governmental authority or directive or through other legal process. The Cable Act has special rules that apply to these situations that may apply to you. NewWave will disclose personally identifiable information about you when required by law, authority, directive or legal process, after giving effect to the Cable Act’s requirements.

The Cable Act’s requirements differ depending on whether the person or entity seeking the information is a governmental authority or not. If a person or entity that is not a governmental authority seeks personally identifiable information, then the Cable Act permits us to disclose certain information only if there is a court order authorizing or requiring such disclosure and only if we notify you of the order.

If a governmental authority seeks personally identifiable information about you, then the rules are different depending on whether the disclosure is subject to (i) the ECPA, (ii) the federal “pen register/trap and trace” statute (which we refer to as “the Register/Trace Statute” or (iii) other law including the Cable Act.

If the governmental authority seeks personally identifiable information about you, the Cable Act authorizes us to disclose it by a court order or by subpoena for certain limited types of information that includes name, address, telephone number, billing information including payments made and method of payment. The Cable Act may impose additional conditions on disclosure, depending on the nature of the personally identifiable information being sought. A governmental entity can obtain information about your selection of video programming by court order and only if the governmental entity demonstrates to the court by clear and convincing

evidence that you are reasonably suspected of engaging in criminal activity and that the information sought would be material evidence in the case against you. We must give you notice and you then have the opportunity to contest in court any claims made in support of the court order sought by the governmental authority.

If the information sought by the governmental entity in a criminal proceeding relates to subscription to a service that is not a “cable service” within the meaning of the Cable Act, such as our Internet access service or a phone service, then these two additional requirements may not apply. Instead in some situations we may disclose personally identifiable information about you to representatives of government or to comply with court order without your consent or advance notice to you, except that in such cases the disclosure would not include records revealing your selection of video services.

If a governmental authority seeks personally identifiable information about you under the Foreign Intelligence Surveillance Act, the Cable Act’s requirements are different depending on the nature of the information sought. If the governmental authority wants disclosure of records revealing cable subscriber selection of video programming, then we may disclose it only if authorized or required by a court order and only if the two special requirements stated above are met. In the case of any other kind of personally identifiable information, the information may be disclosed as permitted by the ECPA or the Register/Trace Statute, and the special requirements of the Cable Act do not have to be satisfied.

If the ECPA applies and the government wants us to disclose the content of your e-mails and other electronic communications that we have stored for 180 days or less, then it must obtain a criminal warrant from a court. In the case of such content that we have stored for more than 180 days, the government can require disclosure (i) without prior notice to you if the government obtains a criminal warrant or (ii) with prior notice to you if the government obtains a warrant, subpoena or order from a court, obtains a grand jury or trial subpoena or issues an “administrative subpoena,” which is an order to disclose that is issued by the government itself, rather than by a court. Under the ECPA, if the government wants us to disclose your subscriber record information (but not the content of your communications), then it may require us to do so, without prior notice to you or your consent, by obtaining a criminal warrant or a subpoena or order from a court or by issuing an administrative subpoena. The information that can be required under an administrative subpoena is limited to: subscriber name and address; records of local and long distance telephone connection and session times and duration; length of service (including start date) and types of service utilized; telephone number, instrument number or other subscriber number or identity, including any temporarily assigned network address; and the means and source of payment by the subscriber (including any credit card or bank number). The information that can be required under a warrant, subpoena or other order of a court is not so limited. To obtain such a court order, however, the government must meet certain requirements specified in the ECPA, including presenting facts that show there are reasonable grounds to believe that the information sought is relevant and material to an ongoing criminal investigation.

The Registrar/Trace Statute authorizes the government to obtain, without notice to you or your consent, a court order requiring us to capture, record and disclose to the government the telephone numbers, e-mail addresses and similar identifiers that you call or send communications to or that call you or send you communications using any NewWave phone or Internet access service. A federal or state governmental authority may obtain the order upon the certification by the appropriate government lawyer or officer that the information likely to be obtained is relevant to an ongoing criminal investigation.

In addition to the above, if you subscribe to any of our Internet or phone services, the ECPA permits us to disclose the contents of your e-mail or other communications to a law enforcement agency if we reasonably believe that an emergency involving immediate danger of death or serious physical injury to any person requires disclosure of the information without delay. We may do so without prior notice to you, without your consent and without being required to do so by a warrant, subpoena, court order or law. Examples of situations in which we might make such disclosures are where we reasonably believe that there is an immediate risk of suicide or terrorist activity.

The ECPA provides for other exceptional circumstances under which we may be compelled or permitted to disclose information about you or the content of your communications. For example, the content of your e-mail or other communications may be disclosed to law enforcement agencies if it appears to be evidence of child pornography, or was inadvertently obtained by us and appears to pertain to the commission of a crime.

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 provides that state welfare agencies may obtain from our subscriber lists the addresses of individuals who owe or are owed child support and the names and addresses of their employers. The law says that this information can be obtained through an administrative subpoena issued by the state welfare agency, without a court order, and does not require that a Customer be given notice of and the opportunity to contest the disclosure.

Sometimes, a copyright owner believes that the copyright has been infringed by an Internet user who uses an online service to post, download or otherwise use the copyrighted work without permission. The owner may know some information, such as the user's e-mail or IP address, but may not know the user's true identity. The Digital Millennium Copyright Act provides for a copyright owner to obtain a subpoena seeking disclosure from an online service provider of the identity of a user who is believed to have infringed the copyright. Upon receipt of a subpoena, the online service provider is required to expeditiously identify the alleged infringer. Accordingly, NewWave will identify the relevant Customer if we are served with such a subpoena. When customers use our phone services, we automatically collect certain usage information, including calls that are placed and received and their duration.

Time Period During Which We Retain Personally Identifiable Information

The Cable Act requires us to destroy personally identifiable information if the information is no longer necessary for the purpose for which it was collected and there are no pending requests by you for access to it or pending court orders or other legal process requiring that we disclose it to a third party. In most cases, this means that we will have personally identifiable information about you for so long as you are a Customer and continue to retain it thereafter for as long as it may reasonably be required to comply with tax, accounting and any applicable contractual or legal requirements, which could be seven years or more after you stop being a Customer.

Access to Our Records About You

Under the Cable Act, cable Customers have the right to inspect our records that contain personally identifiable information about them and to have a reasonable opportunity to correct any errors in such information. If you wish to exercise this right, please notify us at the local NewWave office specified on your bill, and we will contact you to arrange a mutually convenient time during our regular business hours.

Your Rights Under the Cable Act

The Cable Act provides you with a cause of action for damages, attorneys' fees and costs in Federal District Court if we violate the Cable Act's limitations on the collection, disclosure, and retention of personally identifiable information about you. The subscriber, customer or other service agreement applicable to you may provide that, to the extent permitted by law, any claims that you have under the Cable Act will be decided in arbitration and attorneys' fees and punitive damages will not be available.

Contact NewWave If You Have Questions

If you have any questions about our policies described in this notice, please contact your local NewWave office at the address and telephone listed on your bill or call 1-888-NEWWAVE.

Mailing List Opt-Out Form

Please remove me from mailing lists and other voluntary disclosures of my name and address to third parties for non-cable purposes. I understand that this election does not apply and is subject to the other provisions of the NewWave privacy policy and applicable law which permit or require disclosure of my name and address to law enforcement agencies or officers; in response to warrants, subpoenas and court orders; or if we reasonably believe that an emergency involving immediate danger of death or serious physical injury to any person requires disclosure of the information without delay.

Please Print

Name: _____

Address: _____

NewWave Account No.: _____

Phone Number: _____

Signature: _____

Date: _____

To ensure we are able to process your request, please fill in all information accurately and completely, sign this form and return it to your local NewWave office at the address listed on your bill.

Please DO NOT mail with your bill. If you change your mind and want to include your name and address on mailing lists we provide to other businesses, please contact your local NewWave office. Thank You.

Customer Proprietary Network Information (CPNI) Policy

The information that we have (1) relating to the quantity, technical configuration, type, destination, location, and amount of your use of telephone service, and / or (2) contained on your telephone bill concerning the telephone services that you receive is subject to additional privacy protections. That information, when matched to your name, address, and telephone number is known as "Customer Proprietary Network Information," or CPNI for short. Examples of CPNI include information typically available from details on a customer's monthly telephone bill -- the type of line, technical characteristics, class of service, current telephone charges, long distance and local service billing records, directory assistance charges, usage data, and calling patterns. (CPNI does not include Your name, address, and telephone number, because that information is protected by the general privacy policy described above.) As a subscriber to our telephone services, You have the right, and we have a duty, under federal law to protect the confidentiality of CPNI. From time to time we would like to use the CPNI information we have on file to provide you with information about our communications-related products and services or special promotions. Our use of CPNI may also enhance our ability to offer products and services tailored to your specific needs. We would like your approval so that we and our agents may use this CPNI to let you know about communications-related services other than those to which you currently subscribe that we believe may be of interest to you. You do have the right to restrict this use of CPNI.

IF WE DO NOT HEAR FROM YOU WITHIN 30 DAYS OF THIS NOTIFICATION, WE WILL ASSUME THAT YOU APPROVE OUR USE OF YOUR CPNI FOR THE PURPOSES OF PROVIDING YOU WITH INFORMATION ABOUT OTHER COMMUNICATIONS-RELATED SERVICES. YOU HAVE THE RIGHT TO DISAPPROVE OUR USE OF YOUR CPNI, AND MAY DENY OR WITHDRAW OUR RIGHT TO USE YOUR CPNI AT ANY TIME BY CALLING THE TELEPHONE NUMBER REFLECTED ON YOUR MONTHLY BILLING STATEMENT. (We will also honor any restrictions applied by state law, to the extent applicable.) We also offer various other services that are not related to the communications services to which you subscribe. Under CPNI rules, some of those services, such as our cable television video services, are considered to be non-communications related services. Occasionally, you may be asked during a telephone call with one of our representatives for your oral consent to our use of your CPNI for the purpose of providing you with an offer for products or services not related to the telephone services to which you subscribe. If you provide your oral consent for us to do so, we may use your CPNI for the duration of such telephone call in order to offer you additional services. Any action that you take to deny or restrict approval to use your CPNI will not affect our provision to you, now or in the future, of any service to which you subscribe. You may disregard this notice if you previously contacted us in response to a CPNI Notification and denied use of your CPNI for the purposes described above. Any denial of approval for use of your CPNI outside of the service to which you already subscribe is valid until such time as your telephone services are discontinued or you affirmatively revoke or limit such approval or denial. The CPNI Policy above applies to our telephone services.

We will notify you of our CPNI Policy, which is included as part of this Privacy Notice, at least once every two years. We reserve the right to modify this Privacy Notice and/or the CPNI Policy at any time. We will notify you of any material changes via written, electronic or other means permitted by law. If you continue to use the service following notice, we will consider that as acceptance of the change.

Revised and Effective: September, 2008.