



NETWORK MANAGEMENT, PERFORMANCE CHARACTERISTICS, AND COMMERCIAL TERMS DISCLOSURE POLICY

Consistent with FCC regulations, Agri-Valley Services Corporation, d/b/a AVS Broadband, provides this information about its broadband internet access services. AVS Broadband's internet services include fiber optic, wired, and fixed wireless technologies. We provide each of these high-speed internet services through the network that we own and manage.

AVS Broadband's goal is to provide the best online experience for its customers (Subscribers). We use network management practices that are consistent with industry standards and federal law. Four documents govern your use of the broadband services through AVS Broadband:

- (1) AVS Broadband's Terms of Service (TOS), viewable at www.avsbroadband.com.
- (2) AVS Broadband's Acceptable Use Policy (AUP), viewable at www.avsbroadband.com.
- (3) AVS Broadband's Network Management, Performance Characteristics, and Commercial Terms Disclosures (as articulated here in a Frequently Asked Questions "FAQ" format) viewable at www.avsbroadband.com; and
- (4) the Customer Service Agreement (Customer Agreement) that you entered into with AVS Broadband to use the Services.

The TOS, AUP and these FAQs explain AVS Broadband's network management techniques and approaches, among other things. AVS Broadband reserves the right to revise all four of the above documents any time as it deems appropriate.

The following FAQs help clarify what AVS Broadband means by internet network management and to make those network management disclosures that federal law requires, including disclosures related to network management and commercial terms.

NETWORK MANAGEMENT

1. Does AVS Broadband manage its network?

Yes. AVS Broadband manages its broadband network. It does so with one goal: to deliver the best possible broadband internet experience to all its Subscribers. Managing the broadband network is essential to allow Subscribers full use of their internet service. We use minimally-intrusive network management practices that are consistent with industry standards to track the health of the network. Without proactive network management, our Subscribers would be subject to negative effects, such as network congestion and degraded service.

2. How does AVS Broadband manage its network?

By using various tools and techniques to manage the network to deliver high-quality service and ensuring compliance with the TOS and AUP. AVS Broadband manages its network in a variety of ways, including reducing or mitigating the effects of congestion on the network through legitimate network management. For example, when the network is overly congested (over 80% of the available bandwidth) with heavy amounts of data use by some subscribers that are crowding out other users, AVS Broadband manages its network by temporarily limiting speeds or the amount of data that can be

transferred by those Subscribers. This limit is in place until the condition that caused the network congestion is resolved.

3. Will network management change over time?

As the internet and related technologies continue to evolve, AVS Broadband's network management tools will evolve to keep pace so we can continue to deliver online service to our Subscribers. We provide updates via the appropriate media if we make important or significant changes to our network management techniques, including updates to our Network Management policy.

4. What causes the network to be congested?

Congestion can be caused by a number of factors. The most common is a large volume of customers using high-bandwidth. Congestion management analyzes that use and creates capacity for other customers by managing the highest use at the time of congestion. This will provide all customers a "fair share" of our network resources.

5. How does AVS Broadband's current congestion management technique work?

If a certain area of the network nears a state of congestion that interferes with AVS Broadband Subscribers' use of the internet, then AVS Broadband may implement congestion management techniques to ensure that all Subscribers have a fair share of access to the network. As an example, when the tools identify a location of its service area where Subscribers are using a disproportionate amount of bandwidth causing the 80% network limit threshold to be exceeded, steps are taken to temporarily manage the internet traffic until the period of congestion passes. During the period of congestion management, Subscribers can be online, though may experience longer times to download or upload files, slower surfing of the Web, buffering of videos or slowness playing games online. AVS Broadband's process does not manage congestion based on the specific online activities, protocols, or applications that a Subscriber is using at the time of congestion. Instead, it only focuses on the heaviest users in real time, so the periods of congestion typically tend to be very short and the effect of this process is temporary.

6. Does the congestion management technique target peer-to-peer ("P2P") or other applications, or make decisions about the content of my traffic?

No. AVS Broadband does not manage congestion based on the applications a Subscriber is using. Its scheme is a content-neutral scheme. In deciding on whether to implement network management practices to alleviate congestion, AVS Broadband does not inspect network traffic for content. If congestion occurs, all users (and all users' traffic) would be subject to the network management practices – regardless of content. Further, AVS Broadband does not store its end users' traffic information or provide it to third parties, except as required by law.

7. How could the congestion management technique impact me and my use of the AVS Broadband's internet service?

When AVS Broadband implements network management practices to alleviate congestion, most Subscribers will not notice a change in their internet experience. The goal of congestion management is to enable all users to have access to a fair share of the network when congestion occasionally occurs. Congestion management largely focuses on the consumption activity of Subscriber accounts that are using a disproportionate amount of bandwidth.

8. How is this different from throttling?

The difference between our Network Management practices and throttling is network intelligence. With throttling, your data speed is reduced for your entire session, 100% of the time, no matter where you are. Network Management is based on the theory that all customers should have the best network possible, and if you're not causing congestion for others, even if you are using a high amount of data, your connection speed should be as good as possible. So, if you're in the top 5% of data users, your speed is reduced only when you are connected to a congested site. Once you are no longer connected to a congested site, your speed will return to normal. This could mean a matter of seconds or hours, depending on your location and time of day.

- 9. How often does AVS Broadband expect to use this congestion management technique?**
AVS Broadband anticipates that select parts of the network tend to be in a congested state only for relatively small portions of a day, if at all. AVS Broadband monitors how user traffic is affected by this system and will make adjustments reasonably necessary to ensure that our internet Subscribers have a high-quality online experience. AVS Broadband also routinely evaluates its overall network performance, and periodically endeavors to enhance its network by adding capacity to address congestion and other performance issues as feasible.
- 10. Does AVS Broadband throttle specific content?**
AVS Broadband may reduce the threshold of some of the lower speed wireless plans to reduce the video consumption by a Subscriber. This will reduce the performance of services such as video streaming or online gaming for specific service plans. This is done to help prevent congestion in the network and ensure all users have access to a fair share of the network. This throttling will impact every Subscriber on that plan, not individual Subscribers.
- 11. Can I contact AVS Broadband to determine if my internet connection has been managed?**
Customers can contact our Support Department to report slower internet downloads or uploads. Due to the dynamic nature of congestion management, AVS Broadband does not have visibility into specific accounts that are managed during the rare periods of network congestion. Given the very small number of accounts that will be subject to congestion management, customers should assume they have not been managed. If internet speeds are slow, please contact Customer Support to troubleshoot the internet connection for a solution to the problem.
- 12. Can you give me some “real world” examples of how much bandwidth consumption would be considered too much?**
The answer depends on a number of factors, including overall use, time of day, and the number of applications that might be running at the same time. The point of the technique is to deliver the best overall online experience possible. The technique should help ensure that all Subscribers get their fair share of bandwidth resources to enjoy all that the internet has to offer – including surfing the Web, reading e-mails, and streaming movies.
- 13. How is this related to any monthly data use threshold?**
It is not related. AVS Broadband plans include unlimited amounts of data for each month of service.
- 14. Is VOIP affected by this congestion management technique?**
AVS Broadband Subscribers who use VoIP that rely on delivering calls over the internet may experience a degradation of their call quality when the network is congested. VoIP calling does not use a significant amount of bandwidth. AVS Broadband does not discriminate against Subscribers who use VoIP and those who do not, and it does not intentionally degrade VoIP applications or services. AVS Broadband does not provide customer support for Third Party VoIP services.
- 15. What about streaming video or video downloads when congestion management is in place?**
During periods of congestion, any Subscribers who are using a disproportionate amount of bandwidth – no matter the type or content of the online activity – may be affected.
- 16. Does AVS Broadband discriminate against particular types of online content?**
No. AVS Broadband provides its Subscribers with full access to all the lawful content, services, and applications that the internet has to offer. We are committed to protecting Subscribers from unwanted or harmful online content and activities. AVS Broadband uses industry standard tools and generally accepted best practices and policies to help it meet this Subscriber commitment. When these tools and policies identify certain online content as harmful and unwanted (such as spam or phishing Web sites), this content is usually prevented from reaching Subscribers. In other cases, these tools and policies may permit Subscribers to identify certain content that is not clearly harmful or unwanted (such as bulk emails or Web sites with questionable security ratings), and enable those Subscribers to inspect the content further.

17. Does AVS Broadband have rules regarding Subscribers attaching devices to its network?

AVS Broadband does not restrict the devices that may be connected to its network, with these exceptions: (a) Subscribers may not connect a device to the Network that causes harm to the Network; (c) Subscribers may not connect any device that is used to rebroadcast AVS Broadband's service; and (d) Subscribers may not connect any device that is used to resell AVS Broadband's services.

18. What practices does AVS Broadband use to ensure end-user security or security of the network, and what are the triggering conditions that cause a mechanism to be invoked?

AVS Broadband uses metrics to determine if there is a denial of service or similar attack hitting the Network. During the time of such an attack, in-bound and out-bound traffic filtering techniques may be used to avoid Network congestion and other Network degradation. If any Network traffic appears to be a malicious attempt to disrupt the Network (e.g., e-mail spamming), corrective action will be taken and Network information may be transmitted to the appropriate law enforcement agency to investigate and pursue potential criminal prosecution under relevant laws, including computer hacking laws.

COMMERCIAL TERMS

1. What is the pricing for AVS Broadband services?

Information on pricing (including monthly prices, fees for early termination or additional services and offerings) is available at www.avsbroadband.com. An early termination fee would apply for certain offers, with the amount of the fee reduced for each completed month of service.

2. What is AVS Broadband's privacy policy?

When you sign up for, register, or use AVS Broadband internet Services, we collect certain information to conduct our daily business with you. We protect this information in accordance with the terms of AVS Broadband's Privacy Policy, which you may review by going to www.avsbroadband.com.

3. How can I contact AVS Broadband if I have any questions or complaints about these disclosures?

If you have any questions or complaints about these disclosures or AVS Broadband, you may contact us by phone, email, fax, or mail using the contact information below:

- via telephone: 1-888-282-4932
- via email: support@avci.net
- via fax: 989-453-7393
- via United States mail service:
AVS Broadband Support Dept.
PO Box 650
Pigeon, MI 48755

4. What is the AVS Broadband's Copyright Infringement Policy?

A separate Copyright Infringement Policy can be found at www.avsbroadband.com

PERFORMANCE CHARACTERISTICS

1. What types of services does AVS Broadband provide?

AVS Broadband provides internet services via fiber optic, wired, and fixed wireless service using the network that AVS Broadband owns and manages. We provide a variety of internet service offerings to residential and business customers. Subscribers of AVS Broadband Services receive devices/equipment from AVS Broadband that allows them to receive an internet connection from AVS Broadband. The provided device/equipment will depend on the Subscriber's location, how the Subscriber intends to use the service and how many devices the Subscriber intends to connect. The devices/equipment that the Subscriber needs will be provided at a cost which varies depending upon

the type of device/equipment and the term of the Customer Agreement. AVS Broadband provides residential and commercial customers with a variety of high-speed internet plans from which to choose. These options allow customers to select an offering suited to their needs.

2. What are the internet service speeds AVS Broadband provides?

AVS Broadband offers plans starting at 25Mbps download and 3Mbps upload to plans that offer up to 300Mbps download and 300Mbps upload, with choices in between. AVS Broadband does not guarantee that a customer will achieve those speeds at all times. The “actual” speed that a customer will experience while using AVS Broadband’s internet service depends upon a variety of conditions, many of which are beyond the control of an ISP such as AVS Broadband. These conditions include:

- A. Performance of a customer’s computer, including its age, processing capability, its operating system, the number of applications running simultaneously, and the presence of any adware and viruses.
- B. Type of connection between a customer’s computer and modem. For example, wireless connections may be slower than direct connections into a router or modem. Wireless connections also may be subject to greater fluctuations, interference and congestion.
- C. The distance packets travel (round trip time of packets) between a customer’s computer and its final destination on the internet, including the number and quality of the networks of various operators in the transmission path. The internet is a “network of networks.” A customer’s connection may travel the networks of multiple providers before reaching its destination, and the limitations of those networks can affect the overall speed of that internet connection.
- D. Congestion or high usage levels at the website or destination. If a large number of visitors are accessing a site or particular destination at the same time, your connection will be affected if the site or destination does not have sufficient capacity to serve all of the visitors efficiently.
- E. Gating of speeds or access by the website or destination. In order to control traffic or performance, many websites limit the speeds at which a visitor can download from their site. Those limitations will carry through to a customer’s connection.

This is the reason that AVS Broadband, like all other ISPs, advertises goals for speeds and does not guarantee them.

Effective January 26, 2017, Revised August 20, 2024