

# Privacy Policy

## BendBroadband Subscriber Privacy Notice for Cable Television, High Speed Internet and Phone Service

TDS Baja Broadband LLC ("BendBroadband") is committed to respecting and protecting your privacy. We have updated our customer privacy notice to provide an understanding of how BendBroadband protects your privacy in connection with our Video, High Speed Internet, or BendBroadband Phone services ("Services") and any other communications services we may provide to you using our cable system. You are entitled to know the limitations imposed on cable operators regarding the collection, use and disclosure of personally identifiable subscriber information, and your rights related to this information and its disclosure. Additional terms and conditions apply to the Services, and can be found in your subscriber agreements.

This notice covers only information about you that is collected by BendBroadband in connection with Services ("customer information"). This notice does not cover information that may be collected through any other products, services, or websites, even if accessed through our services and even if co-branded with our services.

**A. What types of Customer Information Do We Collect?** Some of the customer information we collect identifies or can potentially identify you (we call this "personally identifiable information"), such as your name, address and telephone numbers; your Social Security Number; credit information and bank account or credit card numbers; your payment preferences; subscriber correspondence; or other demographic information, such as size of household. Our records also contain information on billing and payment history, maintenance and repairs, inquiry and technical support interaction, service options you have chosen, and other information related to installation and maintenance of your cable service. Personally identifiable data does not include aggregated data that does not identify a particular person or persons, or demographic information not connected to an identified individual or household, or nonperson information such as MAC addresses associated with set top boxes, modems, and routers, or other equipment identifiers.

In addition, as part of our normal course of business, we generate and maintain billing and account information such as billing, payment, and deposit history; the services to which you have subscribed; customer correspondence and communications records; and maintenance, repairs, and complaint information.

Sometimes, we also obtain additional information from outside sources to supplement the information we collect from you. We might add information about you or your community available from third parties such as research consultants and marketing firms (such as the information that merchants use in delivering catalogues by mail, or census information about neighborhoods).

We may also collect the following service-specific customer information depending on the Services to which you subscribe:

**Phone Services.** As part of delivering phone services, we keep information about the quantity, technical configuration, type, destination, location, and amount of your use of phone services, calling patterns and information contained on your telephone bill concerning the phone services you receive. When that information is accompanied by your name, address, or telephone number, it is known as customer proprietary network information or "CPNI" and subject to special protections as described in Section E below. Your name, address, and telephone number alone do not constitute CPNI, however.

**High Speed Internet Service.** If you subscribe to our High Speed Internet service we transmit, and may collect and store for a period of time, information generated by the service when you send and receive e-mail, video mail, and instant messages; transfer and share files; make files accessible; visit websites; or post blogs, comments, or other information.

**Cable Television Services.** If you are a cable television subscriber, we may also automatically collect information when you use our systems such as by ordering or viewing on demand programming, or engaging in other interactive programming features. This information is primarily used to carry out the requests you make using your remote control, set-top box, or other equipment. It may also include other information such as the time you actually use our services, the use of other features of our services, and which menus and menu screens are used most often and the time spent using them.

Information collected from these services is maintained on an anonymous basis, except in connection with billing for usage of video on demand or pay-per-view services or as necessary to fulfill any other request or order you make via the transactional and interactive services. Some of our advertisements may invite interactive or transactional follow-up from you. If you request products, services, features or information via such interactive advertisements, we collect and use the information generated by the request, including personally identifiable information when necessary, in order to carry out your request.

We may also collect channel tuning data to determine which programs are most popular, how many people watch a program to its conclusion and whether people are watching commercials, as well as other audience measurement-focused information. All personally identifiable information is removed from this data. BendBroadband, or our contractors or agents, may from time to time share this anonymous information with our advertisers, content providers, or other third parties working on our behalf such as audience measurement or market research firms. These firms may combine this information with information about you or your community (such as the information that merchants use in delivering catalogues by mail, or census information about neighborhoods) to provide us with audience analysis data. Our audience measurement helps us and the program networks we carry decide on which programs and channels to carry and to improve our cable television services.

We also use this information to provide you with a more personalized experience by directing advertisers to the channels that produce more sales as they consider, design, and evaluate advertising campaigns.

In addition to this privacy notice, we may provide additional notices to you regarding specific advertising or other initiatives. These notices will describe the initiatives in greater detail and may, as appropriate, contain information you can use to choose to participate, or not participate, in these initiatives.

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**B. How do We Use Customer Information?** We use customer information, including personally identifiable information, primarily to conduct business activities related to our provision of reliable and high quality Services. More specifically, we may use personally identifiable information to: install, maintain, and upgrade Services and the devices and software we use to provide them; to bill properly for Services; to send you pertinent information regarding the Services; to configure and improve the Services; to detect unauthorized reception of the Services; to offer you other services or products that we think may be of interest to you (subject to your right to limit or restrict us from making these offers as described in this Privacy Notice) and for tax and accounting purposes. We also keep records from research concerning customer satisfaction and viewing or system use habits.

**C. When Do We Disclose Customer Information to Third Parties?** BendBroadband considers the personally identifiable information that we keep to be confidential. Unless prior written or electronic consent is obtained, we will disclose to third parties personal information that we maintain related to our subscribers only when it is necessary to render cable or other services to you, or to carry out related activities in the ordinary course of business for our ordinary business purposes, at a frequency that varies in accordance with the particular business need.

We may provide your name and address to marketing organizations, programmers and other businesses. Section 631 of the federal Cable Communications Policy Act of 1984, as amended (the "Cable Act") allows us to disclose this "mailing list" information unless you tell us otherwise. We may also use or disclose customer information, including personally identifiable information, without your consent to protect our customers, employees, or property, in emergency situations, to enforce our rights under our terms of service and policies, if your account is referred to a collection agency or attorney, in court or elsewhere, and as otherwise permitted by law.

The types of persons to whom information about you may be disclosed without your prior written or electronic consent include: Installation, repair, and subscriber assistance subcontractors; entities providing services to us that we resell or license to you; billing and collection services; program guide distributors; software vendors; firms conducting market research on our behalf; and other related legal entities.

BendBroadband may also disclose information about you to representatives of government, taxing, or other regulatory authorities in the furtherance of our legitimate business activities.

For all of the same purposes for which we use personally identifiable information as described in this Section B above, we may sometimes disclose such information to our affiliates, agents, contractors, outside auditors, professional advisors, service providers and vendors, potential business merger, acquisition, or sale partners, and regulators. If a new company were to take ownership of our cable system, we reserve the right to disclose and transfer all customer information, including personally identifiable information, to the successor company.

We describe above in Section A when we disclose to third parties anonymous customer information relating to our cable services.

**D. Special Phone Service Information.** We may disclose customer information, including personally identifiable information, in connection with our phone service, such as in providing directory service, Caller ID, and 911/E911. In using our BendBroadband Phone services, your name and telephone number may be transmitted and displayed on a Caller ID device unless you have elected to block such information (Caller ID blocking may not prevent the display of your name and telephone number if you dial certain business numbers, 911 or toll-free 800, 888, 877, or 866 numbers.) Your name, address and phone number may be distributed in telephone directories or through directory assistance, and this information may be repackaged and made available in different formats by anyone. We take reasonable precautions to ensure that non-published and non-listed numbers are not included in our telephone directories or directory assistance services, although we cannot guarantee that errors will never occur.

Federal law regulates "customer proprietary network information," also known as "CPNI." CPNI is information that relates to the quantity, technical configuration, type, destination, location, and amount of use of a telecommunications service that we receive solely as a result of our provision of telephone service to you. In particular, this includes information contained in our invoices pertaining to telephone service (other than your name, address and phone number), and the details of who you call and who calls you. For your protection, we will not disclose your call detail records over the phone to an inbound caller, and we require the use of a password to log into accounts where you can view your call detail information online. We use and disclose CPNI only in very limited circumstances as described below. We only will use, disclose, or permit access to CPNI in compliance with applicable law and as explained in this policy.

**E. When Is Disclosure of Customer Information Required by Law?** We must disclose customer information, including personally identifiable information, when required by the terms of a valid legal process such as a subpoena, court order, or search warrant. If a court order requires us to disclose personally identifiable information to a third party, we are required to notify you. If you subscribe to our cable television service, under federal law, you must be afforded the opportunity to appear and contest the order in court. In addition, in accordance with the United States of America Patriot Act of 2001, we may be required to disclose personally identifiable information to law enforcement officials in accordance with both court orders and subpoenas, however, we may not disclose records revealing your selection of video programming. You may not be entitled by law to prior notice or the opportunity to contest these disclosures.

If you subscribe to our High Speed Internet or BendBroadband Phone services, the same requirements do not apply. Instead, in some instances we may disclose personally identifiable information and CPNI about you to representatives of government or to comply with a court order without your consent and without advance or any notice to you, except that in these cases our disclosure is not to include records revealing your selection of video programming. In other situations (for example, if you owe or are owed welfare or child support), state welfare agencies may by administrative subpoena obtain your name, address, and other information as it appears in our records. We are required to notify the National Center for Missing and Exploited Children of information about child pornography that we become aware of in the course of providing our services. This information may be provided without a court order, and we do not have to give you notice and the opportunity to contest such disclosure.

If we notify you of specific legal requests or orders for personally identifiable information, and there is an opportunity for you to object to such disclosures, it is then up to you to object or take specific action to prevent these disclosures.

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**F. Can I prohibit BendBroadband's Use and Disclosure of My Customer Information?** You have some choices in how we use or disclose customer information. If you do not want us to disclose your name and address to third parties for mailing lists in connection with the promotion of BendBroadband's products and services and for other legitimate business activities related to our services, as explained below and Section C above, please contact us by mail at BendBroadband Opt-Out, 63090 Sherman Road, Bend, Oregon 97703, or by telephone at 541.382.5551. Any mailing list disclosures that we may make are limited by law to disclosures of subscriber names and addresses where the disclosures do not reveal, directly or indirectly, (i) the extent of any use by the subscriber of our Services; or (ii) the nature of any transaction made by the subscriber over our Services.

BendBroadband may use e-mail and/or in-browser messages to send transactional or relationship messages related to your service, including information on changes in terms or features, updates and upgrades, new features to which you are entitled, and information on system outages. If you agree to our contacting you via e-mail and/or in-browser messages for marketing messages, we may send you e-mail messages marketing our services.

You may contact BendBroadband at any time at the contact numbers set forth in this Privacy Policy to ask us to put your name on our "do not call" list so that you do not receive marketing or promotional telephone calls from us or made at our request.

If you are a customer of our services, from time to time we may offer you other communications services (for example, Internet or cable services if you are a phone customer or cable and phone services if you are an Internet customer) that are tailored to your specific needs, or which would be available to you on special promotional terms. If you do not want us to use, disclose or permit access to your phone or Internet account to market services, please contact us to prevent such use, disclosure and access.

**G. How Long Do We Keep Customer Information?** We will maintain personally identifiable information about you only as long as it is necessary for our business purposes. This period includes the time during which you are a subscriber to our services, plus a period of time after you cease to be an active subscriber, in order for us to comply with tax and accounting regulations and requirements.

**H. Changes to Privacy Notice.** As required by federal law, we will notify you of our privacy policy annually. We reserve the right to modify this Privacy Notice at any time. We encourage you to periodically review this notice.

**I. May I Inspect Customer Service Information?** You have the right to inspect our records containing customer information about you, and to correct any errors in such information. In most cases, the personally identifiable information contained in these records consists solely of billing and account information. If you wish to inspect our records at our local business office, please notify us in writing 30 days in advance and an appointment will be arranged promptly during our regular business hours.

## Website Privacy

This Website Privacy Policy ("Policy") discloses the privacy practices for this website, and associated subdomains and related features (the "site"). Bend Broadband (referred to as "Bend," "us" or "we") is committed to protecting your privacy while on this site. Please read the information below to learn how we collect, use and disclose the information gathered by this site.

You acknowledge that by accessing or using our site, you agree to be bound by all of the terms of this Policy. If you do not agree to these terms, please do not use this site or access any information on the site. This Policy only applies to your use of this site. It does not govern the treatment of information Bend collects, uses or discloses other than through this site.

We reserve the right to change this Policy at any time, at our sole discretion. Such changes will become effective immediately upon posting. You acknowledge and agree that it is your responsibility to review this site and this Policy periodically, and to be aware of any modifications. Your continued use of the site after such modifications will constitute your: (a) acknowledgment of the modified Policy; and (b) agreement to abide and be bound by the modified Policy.

**Questions regarding this Policy should be directed to BendBroadband through the "Contact Us" on the website, or by mailing a notice to:  
BendBroadband | 69030 Sherman Road | Bend, OR 97703 | Attention: Webmaster**

## Types of Information Collected

We collect two types of information on our site: personally identifiable information and non-personally identifiable information. The primary purpose of collecting this information is to provide visitors with an efficient and customized experience while using our site.

**Personally Identifiable Information:** This information can potentially be used to identify, contact or locate you. We collect such information when you engage in certain activities on this site, such as ordering a product or service, submitting content and/or posting, filling out a survey, or sending us feedback, or when we ask you to provide certain information about yourself. These activities are optional, you have no obligation to engage in them. However, we may ask that you provide us personal information, such as your name, mailing address, e-mail address, telephone and fax numbers, and other personally identifiable information. When ordering products or services on the site, you may also be asked to provide payment information.

The information you supply will assist us in providing more personalized features, more efficient transactions, and more useful applications. We do not collect any personally identifiable information about you on this site unless you voluntarily provide it to us. The more you tell us about yourself, the more value we can offer. Supplying this information is entirely voluntary. But if you choose not to supply the information, we may be unable to provide you with the products and services we make available to other users of and visitors to our website.

**Non-Personally Identifiable Information:** This information, alone, does not identify a specific individual. However, this information is compiled and analyzed on both an individual and an aggregated basis. Such information may include the Web site Uniform Resource Locator ("URL") of the sites you visit prior to, and after, visiting our site; demographic information; browser types; and/or your Internet Protocol ("IP") address.

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## Use of Information Collected

When you submit any personally identifiable information over this website, BendBroadband (i) will use the information for the purposes described at the time you submit it (for example, your name, address, telephone number, and e-mail address provided while ordering one of our products or services will be used in connection with the processing and fulfillment of your order) and (ii) may use the information to contact you to make you aware of other products and services of interest. Of course, if you want to remain completely anonymous, you're still free to take advantage of the publicly available content on our website without registration.

In addition, we may also collect, or our third-party ad server and/or content server may collect, certain non-personally identifiable information. We may use your IP address to diagnose problems with our servers and/or software, to administer our site, and to gather demographic information. Our third-party ad servers may also provide us with aggregate, but not individual, reports that tell us how many ads were presented and clicked upon at our site. We do not sell, trade, or rent your personally identifiable information to unaffiliated third parties for their direct marketing purposes unless you have affirmatively agreed to such disclosure. We may disclose your personally identifiable information to our affiliates for marketing purposes.

Occasionally, we may be required by law enforcement or judicial authorities to provide personally identifiable information to the appropriate governmental authorities. We may disclose personally identifiable information upon receipt of a court order or subpoena, to cooperate with a law enforcement investigation, or when otherwise permitted by applicable law. We fully cooperate with law enforcement agencies in identifying those who use this site for illegal activities. We reserve the right to report to law enforcement agencies any activities that we in good faith believe to be unlawful.

## Security

All information gathered on our website is stored within a database accessible only to BendBroadband and its specifically authorized contractors and vendors. However, as effective as any security measure may be, no security system is impenetrable. We cannot guarantee the complete security of our database, nor can we guarantee that information you supply won't be intercepted while being transmitted to us over the Internet. If you don't want us to know any particular information about you, don't include it in anything that you submit or post to this website or send to us in e-mail.

## Cookies

When you use our site we may store cookies on your computer to facilitate and customize your use of our site. A cookie is a small data text file, which a website stores on your computer's hard drive (if your Web browser permits) that can later be retrieved to identify you. Our cookies may store personally identifiable information and/or non-personally identifiable information about you, your computer, or your preferences so that you may more easily use our site. The cookies help the site run efficiently and help maintain a more secure site. You may decline our cookies but that may result in loss of functionality on the site. Instructions on disabling cookies should be available through your browser's help, or support, pages.

## Targeted Marketing and Advertisements

BendBroadband expects that its advertisements for goods and services will be relevant to you. For that reason, we collect and use non-personal information, such as information about your visits to our websites and IP address, and personally identifiable information, such as information you provide, to identify and present tailored advertisements for our goods and services.

We may use an outside ad serving company to display advertisements on our site, and other sites. As part of their service, they may place a separate cookie on your computer or utilize other means to collection non-personally identifiable information such as, web beacons, clear GIFs, pixel tags or other similar technologies. We and our third-party ad server will collect and use non-personally identifiable information about you, such as your IP address, browser type, the server your computer is logged onto, the area code and zip code associated with your server, and whether you responded to a particular ad to provide you with a smooth, efficient, customized and improved experience while using our site. Other unaffiliated advertisers may also place ads on our site in the same manner as above, but we will not disclose any Personally Identifiable Information to them.

In addition, we may partner with a third-party advertising company who may utilize cookies, web beacons, or other technology to deliver or facilitate the delivery of targeted advertisements about our goods and services on third-party websites. We will not provide this partner with access to your name, address, e-mail address, telephone number or other personally identifiable information. When these targeted online advertisements are based on your personally identifiable information and displayed on third-party websites, you may opt out by going to <http://www.google.com/policies/technologies/ads/> and requesting to have your privacy preferences updated. After doing so, we recommend that you also remove any unwanted cookies from your browser.

## California Users

California law requires that we provide you, upon request, certain information regarding the sharing of personally identifiable information to third parties for their direct marketing purposes. As mentioned above, we do not share personally identifiable information with unaffiliated third parties for their own direct marketing purposes. However, we may share personally identifiable information with some same-branded affiliates for those affiliates' direct marketing purposes.

## Site Intended for Adults

Except where expressly indicated, this site is directed towards adults and you must be at least 18 years old to submit any personally identifiable information to this site. We do not knowingly collect, use, or disclose personally identifiable information about visitors that are under 18 years of age unless expressly specified on the applicable pages of the site. Some third-party features provided on or linked to on our site may collect some personally identifiable information on individuals younger than 18 years old. Such collection and information is subject to the terms and conditions and privacy policy of those parties' sites or services and, as required by applicable law, may require consent from a parent or guardian. Children should always get permission from a parent or guardian before sending any information about themselves over the Internet to anyone.

Revised June 11, 2015