

Rise Broadband Privacy Policy and California Customer Privacy Rights

Effective date: December 31, 2019

Rise Broadband knows Customers care about how their personally identifiable information is used and shared, and Rise Broadband takes Customers' privacy seriously. Please read the following to learn more about Rise Broadband's Privacy Policy. **By using any of Rise Broadband's offered products or services (the "Service") or by accessing Rise Broadband's website in any manner, Customer acknowledges that Customer accepts the practices and policies outlined in this Privacy Policy, and Customer hereby consents that Rise Broadband will collect, use, store and share Customer's Personal Information in the following ways.**

Remember that Customer's use of the Service is at all times subject to Customer's service agreement, which incorporates this Privacy Policy by reference, and to Rise Broadband's Website Terms of Use (<https://www.risebroadband.com/legal/broadband-internet-acceptable-use-policy/>). Any capitalized terms not defined in this Privacy Policy will have the same meaning as defined in Customer's service agreement and Website Terms of Use. Rise Broadband Services are designed and targeted to U.S. audiences and are governed by the laws of the U.S.

When Customer uses the Service, all information Customer sends and receives is transmitted over a wireless network and may be subject to interception by unauthorized third parties who seek to do you harm. While Rise Broadband takes reasonable measures to prevent unauthorized third parties from intercepting the information Customer sends and receives through the Service, Rise Broadband cannot and does not make any guarantee that transmissions over the Internet are 100% secure or error-free.

Rise Broadband recommends that you use caution when sending any Personal Information over the Internet and use encryption technology whenever possible, such as websites that have the "https" designation in the website's address bar and show a padlock icon in the browser's window.

What types of information does this Privacy Policy cover?

Rise Broadband collects and stores various types of information about Customers and Customers' use of the Service via the Rise Broadband website, Help Desk and call centers, postal mail, remote kiosks, the Rise Broadband Facebook Page or other social network platforms or by other means, generally classified as Personal Information and Non- Personal Information.

Generally, Rise Broadband gathers and uses Personal Information internally in connection with providing the Service to Customer, including to personalize, evaluate and improve the provision and functionality of the Service, to contact Customer, to respond to and fulfill Customer requests regarding the Service, and to analyze how Customer uses the Service.

What Information does Rise Broadband collect and how does Rise Broadband use this Information?

Personal Information

Personal Information is the information Customer provides to Rise Broadband voluntarily or passively through Customer's use of the Service and/or website, and which identifies, relates to, describes, is capable of being associated with, or could be reasonably linked, directly or indirectly, with a particular consumer. For example, through the registration process, when the equipment to provide the Service is installed, maintained or upgraded at Customer's premises, when Customer contacts Rise Broadband regarding the Service, and through Customer's

account settings, Rise Broadband collects and stores Personal Information such as Customer name, email address, phone number, billing address and billing information (such as credit card account number or other financial account information), service address, and the nature of any of Customer's devices or other property making use of the Service.

We may use Personal Information to improve Customer's Service or troubleshoot problems Customer is experiencing with the Service, Customer's computer or device, or otherwise to improve the quality of the Service. Rise Broadband will also use this information to communicate with Customer. For example, if Customer has given Rise Broadband Customer's email address or phone number, Rise Broadband will email or call Customer about Customer's use of the Service or product improvements or upgrades, and other transactional information about Customer's Service.

Rise Broadband may combine Customer Personal Information with additional Personal Information obtained from Rise Broadband Facebook Pages or other social network platforms, its affiliates, its Operational Service Providers (third party owned companies that provide or perform services on Rise Broadband's behalf), or other companies, such as credit bureaus, background check firms, and marketing research companies.

Some forms of Non-Personal Information as described below will be classified as Personal Information if required by applicable law or when such information is directly associated with or reasonably linked to a specific person, computer or device, or is combined with other forms of Personal Information.

Non-Personal Information

When you visit Rise Broadband's website, Rise Broadband will collect various types of Non-Personal Information. This may include information from Customer's browser or device such as Customer IP address, unique device identifier, "cookie" information, the type of browser and/or device you're using to access the Service, and the page or feature Customer requested. (IP Address and device identifiers are traditionally classified as Non-Personal Information and Rise Broadband will treat them as such unless otherwise required by applicable law.)

Rise Broadband uses Personal Information and Non-Personal Information to enhance the Rise Broadband website and Rise Broadband Service offerings. For example, such information can tell Rise Broadband how often visitors use a particular feature of the Rise Broadband website and which products and services are most interesting to current and potential customers, and Rise Broadband may use that knowledge to make the website useful and interesting to as many users as possible and to enhance and refine Rise Broadband's Service offerings.

Technology is improving every day and to improve Rise Broadband's Services' operation and function Rise Broadband may introduce new technologies and monitoring techniques without advance notice or consent from Customer. Rise Broadband may also use third party providers to conduct such internal analyses.

Use of Cookies and other Similar Tracking Technology

Cookies" and "web beacons" are text file identifiers Rise Broadband transfers to Customer's browser or device that allow Rise Broadband to recognize Customer's browser or device and tell Rise Broadband how and when pages and features on the Rise Broadband website are visited, by how many people, and other activity on the website.

Customer can change the preferences on Customer's browser or device to prevent or limit Customer's device's acceptance of cookies, web beacons or other similar technology, but this may prevent Customer from taking advantage of some of the features on the Rise Broadband website, or accessing certain functions and conveniences. If Customer clicks on a link to a third party website or service, such third party may also transmit cookies to Customer. This Privacy Policy does not cover the use of cookies or other such tracking technology used by any third parties, and Rise Broadband is not responsible for their privacy policies and practices.

Network Information

Rise Broadband collects and stores Network Information, information about Customer's access to, and use of, the Rise Broadband network, which may or may not be directly associated with or reasonably linked to a specific person, computer or device. For example, Rise Broadband may collect and store information about the performance of the Provider Equipment installed on Customer's property or at Customer's premises, when Customer is using the Service, the various devices Customer is using to access the Service, the amount of data Customer is transmitting and receiving, the content of the data Customer is transmitting and receiving, the websites Customer is visiting, and any other information that is transmitted over the Rise Broadband network.

Rise Broadband may also aggregate Network Information from multiple subscribers and will share such aggregated Non-Personal information about the overall performance of the Rise Broadband Service and network with our affiliates and other third parties. Aggregated information does not identify a specific individual, computer or device.

We use Network Information to monitor and enhance the performance of the Rise Broadband network. Rise Broadband will not monitor the content of the websites viewed or email communications as part of Rise Broadband's standard network management. Generally, Rise Broadband will only monitor and preserve the following Network Information:

- When Customer is using the Service;
- How Customer is using the Service, such as monitoring traffic patterns regarding websites visited, amount of data being sent or received, or other activity;
- The amount of data Customer is transmitting and receiving through the Service; and
- General information regarding the performance of the Provider Equipment installed on Customer's property or at Customer's premises, and its interaction with the rest of Rise Broadband's network.

However, Rise Broadband reserves the right to, and may, monitor, access, review and preserve any Network Information and/or content in the following situations:

- In response to an inquiry from Customer or another Authorized User on Customer's account regarding Customer or their use of the Service or problems Customer or the Authorized User is experiencing using the Service;
- If Rise Broadband has reason to believe Customer is using the Service in violation of Customer's service agreement or any applicable statutes, rules, ordinances or regulations;
- If Rise Broadband has reason to believe Customer's use of the Service is negatively affecting other Customers; or
- When Rise Broadband is required by law or legal process to do so, or when Rise Broadband has a good faith belief that Rise Broadband is required by law or legal process to do so.

How is Personal Information used for marketing and advertising purposes?

Rise Broadband will use Personal Information to send Customer marketing and advertising messages related to Rise Broadband's Service and website using Customer's email address, postal address, or telephone number (for voice, texts, and pre-recorded calls). Rise Broadband may deliver a marketing or advertising message based on Customer visits to Rise Broadband website, which will be general advertising or "Contextual Advertising," which is advertising based on the subject matter or the content of the specific website page or subject matter. Rise Broadband may also send Customer "First Party Advertising," which is advertising that is customized or personalized based on a history of Customer's use of our Services (possibly combined with information from our Facebook fan page or other social network platforms). First Party Advertising is based solely on a combination of information Rise Broadband collects from Customer – not from Customer's visits to other websites across the Internet.

Most browsers allow you to disable or delete cookies through their settings preferences. You may also be able to opt out of some interest-based advertising by visiting the Network Advertising Initiative (“NAI”) website (<https://www.networkadvertising.org/understanding-digital-advertising>) or the Digital Advertising Alliance (“DAA”) website (<http://www.aboutads.info/>).

Rise Broadband does not provide third party “Network Advertising,” which is advertising based on Customer’s overall Internet usage across different third party websites or online services. Multiple third party websites and online services are involved in this tailored or personalized advertising process, in essence a “network” of advertising providers.

Because Rise Broadband does not provide network ads, Rise Broadband does not recognize the “Do Not Track” settings on various Internet browsers. Rise Broadband does not engage or allow third parties to track you across the Internet and across time for advertising purposes.

Links to other websites or online services

The Rise Broadband website and/or Facebook Pages (or other social networking platforms) may contain a variety of content and functionality and may provide links to other third party websites or online services. Despite such links, this Privacy Policy applies only to Rise Broadband and our affiliates. The presence of a link does not constitute or imply Rise Broadband’s endorsement, recommendation, or sponsorship of the content, goods, services, business or privacy practices on such websites or online services. Rise Broadband encourages Customers to be aware and informed when Customers leave Rise Broadband’s website and Rise Broadband’s Facebook Pages, or any other social networking platforms.

Will Rise Broadband share Customer Personal Information?

Rise Broadband may disclose aggregated information about our Customers, Non-Personal Information collected from Customer, as well as information Customer makes public via Rise Broadband Services or website.

Rise Broadband will not rent, sell or disclose Personal Information to any third-party for marketing or promotional purposes. Rise Broadband will share Customer Personal Information with its affiliates and other third parties as described in this section for the following reasons:

- **To Our Affiliates.** Rise Broadband may share Personal Information and Non-Personal Information with any of its affiliates for business, operational, promotional and/or marketing and advertising purposes.
- **To Operational Service Providers:** Rise Broadband and its affiliates will share Personal Information with other companies and people to perform tasks or services on Rise Broadband’s behalf. For example, Rise Broadband may use a payment processing company to receive and process Customer’s ACH or credit card transactions for Rise Broadband, or Rise Broadband may contract with third parties to assist Rise Broadband in optimizing Rise Broadband’s network.
- **For Business Transfers/Restructuring:** Rise Broadband will share Personal Information in the event another company acquires, or plans to acquire, Rise Broadband, any of our affiliates, our business, or our assets. We will also share Personal Information during the negotiation stage. Also, if Rise Broadband goes out of business, enters bankruptcy, or goes through some other change of control, including restructuring, re-organization or financing arrangements, we may share Personal Information with a third party.
- **For Protection of Rise Broadband, and Our Affiliates, Employees, Operational Service Providers, Users and Subscribers and Public Safety:** Rise Broadband reserves the right to access,

read, preserve, and disclose any Personal Information Rise Broadband has access to if Rise Broadband believes doing so will implement and/or enforce the Customer's service agreement, Website Terms of Use Agreement, Privacy Policy or any legal document; protect our Network(s), website(s), and company assets; protect the interests, rights, property, and/or safety of Rise Broadband or Our affiliates, employees and officers/directors, Operational Service Providers, Users and Subscribers, agents, third party licensors or suppliers, or the general public.

- **When Required by Law or in Response to Legal Process:** Rise Broadband reserves the right to access, read, preserve, and disclose any Personal Information to which Rise Broadband has access if Rise Broadband is required to do so to comply with any court order, law, or legal process, including to respond to any governmental or regulatory request, or if Rise Broadband has a good faith belief that Rise Broadband is required by court order, law or legal process to do so.
- **With Customer's Consent:** Rise Broadband may disclose Customer's Personal Information to third parties for reasons not listed in this Privacy Policy with Customer's express consent.

Is Customer Personal Information secure?

Rise Broadband endeavors to protect the privacy of Customer's account and other Personal Information Rise Broadband holds in its records using reasonable administrative, technical and physical security measures. However, no method of transmission is 100% secure and Rise Broadband cannot and does not guarantee complete security.

Customer's account is protected by a password for Customer privacy and security. It is Customer's responsibility to prevent unauthorized access to Customer's account and Personal Information by selecting and protecting Customer's password and/or other sign-on mechanism appropriately and limiting access to Customer's computer, tablet or device and browser by signing off after Customer has finished accessing Customer's account. Customer is required to notify us immediately if Customer's password or account has been disclosed to a person whose name does not appear on Customer's account, even if you have allowed such disclosure. Customer understands, acknowledges and agrees that Customer is solely responsible for any use of Rise Broadband Services via Customer's username and password.

If Customer contacts Rise Broadband, Rise Broadband will ask Customer for verification of Customer's identification and account. Rise Broadband may notify Customer by email, mail, or telephone, in the event of a data security incident, and where permitted by law. **Rise Broadband aims to avoid sending sensitive or confidential Personal Information through an email or text.** If Customer receives an email or text from Rise Broadband or someone that claims they are with Rise Broadband or our affiliates requesting any sensitive or confidential Personal Information, such as social security number, bank account or credit card account number, or a driver's license number, please do not respond to such text or email and contact our Privacy Administrator immediately at privacy@risebroadband.com.

For Rise Broadband's IT Support Services as detailed in Customer's service agreement, the code that allows Rise Broadband to access Customer's computer desktop to help you resolve technical problems is limited only for that specific session. Rise Broadband is not able to access Customer's Computer without Customer's knowledge, affirmative consent and involvement.

What Personal Information can Customers access, modify and/or delete?

Generally, Customer may access the following Personal Information in Customer's account:

- Full name
- Username and password
- Email address
- Telephone number

- Billing and Service address
- Account and billing information

By contacting Rise Broadband at privacy@risebroadband.com, or through any online access portal Rise Broadband may create to enable Customers to view and modify Customer account settings, Customer may access, and, in some cases, edit or delete the Personal Information listed above. We will not delete certain information such as historic email, billing and/or Service addresses that we use for security and verification purposes.

When Customer modifies, amends, or deletes Personal Information, Rise Broadband may maintain a copy of the unrevised information in Rise Broadband's records for internal security reasons and recordkeeping. Rise Broadband may use any aggregated data derived from or incorporating Customer's Personal Information after Customer updates or deletes it, but not in a manner that would identify Customer personally. Rise Broadband may also maintain Personal Information regarding Customer and Customer's use of the Service after Customer is no longer a Rise Broadband customer as required by Rise Broadband's business practices, by law, and/or tax reporting purposes.

If Customer has any questions about viewing or updating information Rise Broadband has on file about Customer, please contact Rise Broadband at privacy@risebroadband.com.

What third party disclosure choices do Customers have?

Customer can always choose not to disclose Personal Information to Rise Broadband; however, certain Personal Information is necessary for Rise Broadband to provide the Service to Customer. Customer may opt out of sharing Personal Information with Our affiliates only for marketing or advertising purposes, but not for business or operational purposes.

Customer may opt out of email marketing and advertising from Rise Broadband or its affiliates using the "Unsubscribe" mechanism in each email. Before Rise Broadband sends Customer a text for any reason, or sends Customer a pre-recorded call that contains advertising or marketing information, Rise Broadband will secure Customer's prior written express consent, which can be given via a voice recording, email, text message, postal mail, or telephone key press. Customer understands, acknowledges and agrees that such texts and pre-recorded telemarketing calls may be sent using an auto-dialer and are not conditioned on your purchase of the Service. Customer may opt out of receiving text messages any time by replying "STOP" or "UNSUBSCRIBE" to the text message. Customer may opt out of receiving pre-recorded calls by the opt-out instructions in the call. However, Customer will continue to receive calls related to debt-collection and Customer's current Service.

Children Under the Age of 13

Rise Broadband does not knowingly collect, solicit or use Personal Information from anyone under the age of 13. If you are under age 13, please **do not** attempt to register for the Services or send any Personal Information about yourself to Rise Broadband, including your name, address, telephone number, email address, or any screen name or username you may use. If Rise Broadband learns that we have collected Personal Information from a child under the age of 13 without verification of parental consent, Rise Broadband will delete that information to the extent technically feasible. If you believe that Rise Broadband might have any information from or about a child under the age of 13, please contact Rise Broadband at privacy@risebroadband.com.

Your California Privacy Rights

Under California Civil Code Sections 1798.83-1798.84, California residents may be entitled to ask Rise Broadband for a notice identifying the categories of Personal Information which Rise Broadband shares with its affiliates and/or other third parties for their marketing purposes. If Customer resides in California and Customer has an established

business relationship with Rise Broadband, Customer may request information about Rise Broadband's opt-out and opt-in policies of sharing Customer Personal Information with other companies (including Our affiliates) for their marketing purposes. Please send Customer's written request via email or postal mail following the instructions below. **Rise Broadband will not accept requests via the telephone or facsimile.** Rise Broadband will not respond to requests that are not labeled or sent properly, or do not have complete information.

- For all requests, include Customer's full name, street address, city, state and zip code.
- In an email request, Customer must state "**Re: Your California Privacy Rights**" in the subject line and send Customer email to privacy@risebroadband.com.
- In a postal request, Customer must send a letter or post card to:

Rise Broadband
61 Inverness Dr. E., Suite 250
Englewood, CO 80112
Attention: Your California Privacy Rights

Will this Privacy Policy ever change?

Rise Broadband may update this Privacy Policy from time to time. Rise Broadband will alert Customers to any such changes by placing a notice on <https://www.risebroadband.com/> with the effective date of the revised Privacy Policy, and/or by sending Customers an email, or by some other means to the extent required by law. Please note that if Customers have not provided Rise Broadband with Customer's email address or Customer has not updated Customer's contact information, those legal notices will still govern Customer's use of the Service, and Customer is still responsible for reading and understanding all notices posted on Rise Broadband's website. Customer's continued use of the Service or website after notice of any changes have been provided will indicate Customer's acceptance of such changes, except where further steps are required by applicable law.

Use of Customer's Personal Information is primarily governed by the Privacy Policy in effect at the time Customer subscribed to the Service or visited the Rise Broadband website. If Rise Broadband elects to use or to disclose Personal Information that identifies Customer as an individual in a manner that is materially different than that stated in the Privacy Policy in effect at the time you subscribed to the Service or visited the Rise Broadband website, Rise Broadband will provide Customer with an opportunity to consent to such use or disclosure. Depending on the circumstances, that consent may include an opt-out.

What if you have questions or comments about this Privacy Policy?

If you have any questions or concerns regarding Rise Broadband's privacy practices and policies, please contact Rise Broadband at privacy@risebroadband.com.