



FIRSTDIGITAL

PRIVACY POLICY

FirstDigital Telecom, LLC, (FirstDigital”), created this privacy policy outlining your privacy rights to demonstrate our firm commitment to privacy. The following discloses our information gathering and dissemination practices for the websites operated by FirstDigital (the “Site”), its operating companies, and affiliates, and is found at www.firstdigital.com. This policy applies to all of FirstDigital’s operating companies and affiliates (herein collectively referred to as “we,” “us,” “Company,” or “FirstDigital”) and herein referred to as “Customer,” “You.” We respect the privacy of every individual and have published this Privacy Policy to explain how we collect and use information from FirstDigital Customers as well as visitors to our websites (“Visitors”).

FirstDigital is the sole owner of the information collected on the Site. We will not sell, share, or rent this information to others in ways different from what is disclosed in this statement. FirstDigital collects information from our users at several points on our Site as further described in this statement. Our websites and Services are provided in the U.S., governed by U.S. laws and intended for domestic use by U.S. based Visitors, Customers and End Users. We make no representation that materials available on this site or through any Service are appropriate or available for use in locations outside the United States, and accessing them from territories where their contents are illegal is prohibited. Those who access this site from other locations are responsible for compliance with local law.

Customer hereby acknowledges that Customer has read, and is familiar with, FirstDigital’s Privacy Policy (“PP”) listed below. Customer hereby acknowledges that any violation of the PP by Customer shall entitle FirstDigital to terminate or suspend the Services provided hereunder to Customer.

RELATIONSHIP BETWEEN PRIVACY STATEMENT AND OTHER FIRSTDIGITAL POLICIES AND AGREEMENTS

The policies included in this Privacy Statement are subject to the terms of any agreement, such as our Service Order Agreement, you may enter into with FirstDigital and any policies we may formally transmit to our customers. In the case of a conflict between this Privacy Statement and the terms of any formal agreements or policies, the terms of the formal agreements and/or policies shall control.

HOW AND WHEN WE COLLECT INFORMATION

We collect ‘personal’ information from you when you provide it to us. When you access our Site, we automatically collect access log information about your visit, including information such as the Internet Protocol (IP) addresses assigned (numbers assigned to your computer while online), bandwidth used, system and connection performance, browsers used, dates and times of access, and Internet resource requests, including requests to access web pages. This is non-personal identifiable information is typically used for administrative purposes.

If you purchase video, phone, internet, or managed services (“Services”) from us, we may collect your name, mailing address, driver’s license number, social security number, telephone number, credit card number and email address, certain additional information as provided in our Service Order Agreement, and online traffic, actions and anonymous surfing data (in general, “click-stream data”) and data which can be used to provide a better online experience.

If you contact us, we may collect your email address and the content of your communications. If you utilize services or take advantage of special offers made by our marketing partners, or us we may collect other personal information about you. If you transmit a service inquiry, we may collect information about your usage of our services regardless of whether the services utilized consist of video, phone, internet, or security monitoring services.

FirstDigital collects information online by asking you for it, for example, to order a service, apply for a job, or in responding to your email. FirstDigital may also use ‘cookies’ and similar technology to obtain information about your visits to our Site in an aggregated data format that does not identify you. These tools tell us the parts of our Site or emails, which we sent, caused you to take some action and help us improve the quality and usefulness of our Site. Where visitors voluntarily submit questions, comments, feedback, suggestions, ideas, or the like, we treat visitors’ submissions as non-confidential and non-proprietary, and any information becomes the property of FirstDigital and can be used by FirstDigital for any purpose without the expectation of any compensation. FirstDigital assumes no obligation to protect such information from disclosure

FirstDigital collects information we deem necessary to provide services to you and to comply with applicable governmental regulations and requests.

HOW WE USE YOUR INFORMATION

We collect, store, and process your personal information on servers located in the United States. We use the information we collect about you in order (1) to provide our services and process your transactions, (2) to provide customer service, (3) to determine your eligibility to receive offers for special features or products, (4) to improve our products and services, (5) to comply with governmental regulations and requests, (6) to deal with fraud and unauthorized use of our Services. Additionally, we share your information with subsidiaries and joint ventures to help coordinate the services we provide to you, enforce our appropriate use policy, and promote trust and safety.

We collect personally identifiable information from our customers, including their names, addresses, billing/payment information, phone numbers, email addresses, and other information for business administration and service. In addition, during the course of providing services to our Customers, we collect information about their use of the Services, including type of service and calling activity; that information is known as “Customer Proprietary Network Information,” (herein after referred to as “CPNI”) and is subject to special rules. From time to time we obtain information such as class or type of service, technical characteristics, billing records, location of service, IP address and other information pertaining to Customers.

Unless addressed to us, we do not listen to phone calls, read email messages, instant messages, online chats, or the content of other online communications that reside on or pass through our Services. We may, however, retain and provide such communications if we are legally required to do so or for one of the purposes set forth above. Incoming and outgoing email messages are generally scanned electronically to identify and filter out likely spam and for viruses and related problems that could harm your equipment, the network, or other users.

As with any other business, it is possible that FirstDigital in the future could merge with another company or FirstDigital or its assets or another company could acquire one or more of its business lines. If such an acquisition occurs, the successor company would have access to the information maintained by FirstDigital, including customer account information, but would continue to be bound by this Privacy Statement unless and until it is amended as described below.

For account security, verification or tax purposes, FirstDigital may also request federal tax ID information, purchase order number, and information about the individual(s) responsible for business account administration. Additionally, in the course of providing telephony services, FirstDigital obtains information such as class or type of service, technical characteristics, billing records, location of service and other information. This type of information also is considered CPNI. The FCC has deemed your name (individual or business), address and telephone number, (which, is regarded as “subscriber list information”) and not subject to CPNI regulation.

HOW WE USE PERSONALLY IDENTIFIABLE INFORMATION

We use personally identifiable information to process customer orders as well as provide and bill for services. We also use personally identifiable information that has been provided to us by a website visitor to carry out the purpose or respond to the request for which it was given, such as a request for information about our services. In addition, we may contact our customers and visitors to inform them about our products and services, as well as communications-related services offered by third parties with whom we have a relationship. You may opt out of such marketing communications at any time by contacting us @ CustomerServiceGroup@firstdigital.com.

Be aware information disclosed in a public space, including on any blog, bulletin board or social media site may be available to others who visit that space. FirstDigital cannot safeguard any information that is disclosed or stored in these or other locations. You acknowledge and understand that you have no expectation of privacy or confidentiality in the content you submit for profiles or to such interactive features, whether or not it contains personally identifiable information about you.

The submission of your personally identifiable information constitutes your acknowledgment that you have read and understood this Privacy Policy and agree to its terms. You also acknowledge and consent to our collection, storage, and processing of such personally identifiable information.

FirstDigital will not sell or rent any of your personally identifiable information to third parties. FirstDigital will share your personally identifiable information with third parties that are its suppliers, affiliates or business partners of FirstDigital in order to provide FirstDigital services to you or to provide you with notification of those services. These third parties are limited by law or by contract from using the information for secondary purposes beyond the purposes for which the information is shared. FirstDigital will not share any of your personally identifiable information with third parties other than its suppliers, affiliates, or business partners except with your express permission.

FirstDigital will take reasonable steps to collect the minimum amount of personal information necessary to accomplish the specific purpose and will provide reasonable access to individuals regarding the personal information we hold about them. FirstDigital’s standard practice is to delete information when there is no longer a legitimate business purpose for retaining it.

HOW WE USE EMAIL

Occasionally, we send out email updates on products, services, sales, special events, and promotions. Customers whom we think might be interested in learning about this information will receive these emails.

We also use email as a means of communicating with our customers. We love to hear from you, and we encourage you to email us with your questions or comments

FirstDigital provides customers with a means of declining email offers. Although most customers tell us they appreciate receiving notice of these opportunities, we recognize the importance of providing you with choices. Email offers that you receive from FirstDigital will tell you how to decline further email offers. At any time, you may request to discontinue receiving these offers from us by simply following the instructions contained in the email about how to inform us of your preference

ABUSE OF ACCEPTABLE USE POLICY

We have the right to share your name and contact information with our attorneys and law enforcement officials, if needed, in the event we believe you have breached our Acceptable Use Policy or otherwise harmed us or any of our customers in any way.

LAW ENFORCEMENT

Legal Requirements – There are times when, in order to comply with applicable laws, regulations, court or administrative orders, subpoenas or other matters, FirstDigital must disclose information, including Personally Identifiable Information (“PII”) and CPNI. As a provider of Internet communications services, we regularly receive legal requests for customer information from government and law enforcement personnel. We fully cooperate with state, local, and federal officials in any investigation relating to any content, including personal or private electronic communications transmitted to FirstDigital or purported unlawful activities of any user of any FirstDigital Site or service, and take reasonable measures to protect our proprietary rights. We also receive discovery requests in civil litigation. In all such cases, our policy is to cooperate as required by law, but to provide only such information as the law requires. This information is generally sought by subpoena served on FirstDigital. Under current law, many criminal subpoenas require that we not disclose or notify you of the request. Due to this fact and the volume of requests we receive, we cannot assume any duty to notify you of receipt of any legal requests.

Internet Information – Current law provides that personal accounts and other information concerning use of our internet services may be subpoenaed by governmental entities. In such cases, you may not be entitled to notice of such a request. The content of internet communications may not generally be sought through use of a subpoena. The law does permit us to disclose to law enforcement, voluntarily and without prior notice, customer information, including the contents of communications, if we reasonably believe that an emergency involving immediate danger of death or serious physical injury requires such disclosure without delay

Telephone Information – In some areas, FirstDigital provides telephone services to its customers. Current law requires law enforcement to obtain a court order or warrant for a telephone wiretap or to use a pen register or trap and trace device to capture dialing information. FirstDigital reserves the right to, and will, share information when it believes, in its sole discretion, it is necessary to prevent unlawful use of communications services, when necessary to repair or restore network outages, in emergency situations (e.g. 911 calls; matters of public safety, etc.) or to protect the security or integrity of FirstDigital.

FirstDigital may monitor and/or disclose communications of any kind over its networks (i) to satisfy any law, regulation, or government request (e.g. response to private or law enforcement-issued subpoena); (ii) if such monitoring and/or disclosure is necessary or appropriate to operate We (e.g. recording of Customer Care calls); or (iii) to protect the rights or property of FirstDigital or others (e.g. to prevent fraud, infringement of rights, etc.). Additionally, in connection with the potential sale or transfer of any of its interest in FirstDigital, FirstDigital reserves the right to sell or transfer visitor or Customer information to a third party that (i) concentrates its business in communication products or services, (ii) agrees to be FirstDigital's successor in interest with regard to the maintenance and protection of information collected and maintained by FirstDigital, and (iii) agrees to the material obligations of this Privacy Notice. Furthermore, we may or may not recognize the do-no-track headers from some or all browsers.

LINKED SITES

Our Site may contain links to other websites that are owned and operated by third parties. We encourage our users to be aware when they leave our Site and to read the privacy statements of each and every website that collects personally identifiable information. This privacy statement applies solely to information collected by FirstDigital.

Some of our services also make third party services and material available directly to Customers, provide hyper-text links to other websites, over which we have no control and may contain privacy provisions that are different from those provided herein. FirstDigital is not responsible for and expressly disclaims any and all liability for the privacy policies or practices of other websites to which you choose to link from our websites. Our Privacy Notice does not cover such third parties, their sites or their collection and use of information.

CHOICE/OPT-OUT

Our Site may contain links to other websites. Please be aware that FirstDigital is not responsible for the privacy practices of such other websites. We encourage our users to be aware when they leave our Site and to read the privacy statements of each and every website that collects personally identifiable information. This privacy statement applies solely to information collected by FirstDigital.

COOKIES

A cookie is a small data file that certain websites write to your hard drive when you visit them. A cookie file can contain information such as a user ID that the website uses to track the pages you have visited. The only personal information a cookie can contain is information you supply yourself. The information stored by one website into a cookie cannot be read by another website.

We use cookies to provide you a richer, personalized experience on our Site, to customize your shopping experience, and to remember who you are when you revisit our Site. Additionally, if you have chosen to Opt-Out of certain communications, you must accept cookies. We do not store any personal information about you in the cookie. We also use this ID to track the pages you visit on our Site.

Due to their core role of enhancing and enabling usability or site processes, disabling certain cookies may prevent you from using certain aspects of our website.

Broadly speaking, there are two different types of browser cookie:

Session cookies

These types of cookies are stored in the computer's memory during a user's browsing session and are automatically deleted when the browser is closed, or the session is deemed to have ended. Session cookies usually store a session ID that is not personally identifiable to users, allowing the user to move from page to page without having to log-in repeatedly. They are widely used by commercial websites; for example, to keep track of items that a user has added to a shopping basket.

Persistent cookies

Persistent cookies are stored on a user's computer and are not deleted when the browser is closed. They can be used to retain user preferences for a particular website, allowing those preferences to be used in future browsing sessions. A unique ID is usually assigned to the user's browser and typically configured to identify a user for a prolonged period of time.

The following classification of cookies used on our website is based on the International Chamber of Commerce guide for cookie categories:

Strictly necessary cookies

'Strictly necessary' cookies let you move around the website and use essential features such as ensuring connectivity to the right service or when we make any change to the way our website works. No information about you is retained for future use or remembering where you've been on the internet. Accepting these cookies is a condition of using this website as they are required for the proper operation of our website. If you prevent them, we cannot guarantee how our website will perform during your visit.

Performance cookies

We use performance cookies to collect information about how visitors use our website, which parts of the website you like and what types of content you view. By using our website, you agree that we can place these types of cookies on your device. We use the information to improve our website and enhance our user experience. All information these cookies collect is aggregated and therefore anonymous.

Functionality cookies

Functionality cookies remember choices you make to improve your experience. By using the website, you agree that we can place these types of cookies on your device.

These cookies allow the website to remember choices you make (such as content preferences, language or the region you are in) and provide enhanced, more personalized features. These cookies can also be used to remember changes you have made to text size, fonts and other parts of web pages that you can customize. They may also be used to provide services you have asked for such as commenting on a blog. The information these cookies collect may be anonymized but cannot track your browsing activity on other websites.

SECURITY

FirstDigital uses encryption, firewalls, and other technology and security procedures to help protect the accuracy and security of your personal information and prevent unauthorized access or improper use. We have security measures in place to protect against the loss, misuse and alteration of information under our control. FirstDigital employees are bound by non-disclosure agreements designed to prevent them from disclosing any PII or CPNI. Further, FirstDigital employees must abide by all state and federal laws and regulations in the performance of their job

duties. Our policies also limit access to PII to only those employees, contractors, agents or representatives that require the information to perform their jobs or assist FirstDigital with providing products and services to you.

When FirstDigital collects credit card information, it is used solely to bill Customers for the products and services they receive. FirstDigital does not share credit card information except as may be necessary to process Customer transactions. FirstDigital employs customary web-based security and encryption protocols, such as user identity verification/login policies Secure Socket Layer (SSL) and Secure Electronic Transaction (SET), to secure transmission of that information. If your browser does not support use of such secure connections, or if you prefer not to send your credit card number over the Internet, please contact Customer Care.

However, as effective as modern security practices are, no physical or electronic security system is impenetrable. FirstDigital cannot guarantee the security of its systems or databases, nor can FirstDigital guarantee that information supplied by you will not be intercepted while being transmitted over the Internet. FirstDigital is not responsible for the unlawful or unauthorized actions of third parties.

Directory Information and Caller ID

Subscriber information is made available for telephone directories and to display Caller ID information where available. Customers subscribing to FirstDigital local telephone service are given the opportunity to request that their name, number and address be or not be published in directories, be made available through directory assistance or appear in "Yellow Pages" or other similar business directories. Such requests may require payment of additional fees. Please contact your local FirstDigital service representative for more information. A Customer's name and number may, where available, be transmitted and displayed on a Caller ID device unless the Customer, subject to compliance with Caller ID rules, has elected to block such information. Please note that Caller ID blocking does not prevent the display of a caller's number when dialing certain business numbers, 911, 900 numbers, or toll-free 800, 888, or 877 numbers.

CHANGES TO PRIVACY STATEMENT

We may occasionally change our Privacy Statement. If we do, we will post the new Privacy Statement on the Site. The changes will be posted here and will take effect immediately upon posting.

CHILDREN'S PRIVACY STATEMENT

FirstDigital has designed this policy in order to comply with the Children's Online Privacy Protection Act ('COPPA') and other applicable laws relating to the use of children's data. This policy is intended to supplement our general Privacy Statement.

Although our Site is not specifically directed toward children, and we do not knowingly collect personal information from persons under the age of 13 on our Site, we recognize that parents and children visit the Site. This provides us with the opportunity to help educate consumers about the Federal Trade Commission's Children's Online Privacy Protection Rule. Please visit www.ftc.gov/kidsprivacy for information from the Federal Trade Commission about protecting children's privacy online. Parents should consider using one of a number of available parental control tools that provide a child-friendly, on-line environment and can prevent children from disclosing PII without parental consent. If a child has provided personal information without the consent of a parent or guardian, that parent or guardian should contact us to request that the information be deleted from our records.

Prospective users between the ages of 13 and 17 can only use the Site under their parents' or legal guardian's supervision. If you are between the ages of 13 and 17, you, your parent, or your legal guardian may request that we delete any of your personal information in our database and/or opt-out from receiving communications from us.

IMPLEMENTATION OF CHILDREN'S PRIVACY STATEMENT

A user is never required to disclose any personal information to visit the Site. Personal information is never collected from users who do not sign up for the Site or one of our services. Until registration has been completed, our system does not actually store any personal information

FirstDigital does not substantively monitor our public areas except to determine compliance with our Appropriate Use Policy and Privacy Statement. We do not require any user to disclose personal information to use the public areas of the Site. If we obtain actual knowledge that a child under the age of 13 has disclosed personal information in a public area of our Site, we will delete any personally identifying information from the public area and from our system.

FirstDigital cannot prevent a child under the age of 13 from sending emails. However, if FirstDigital obtains actual knowledge that an email comes from a child under the age of 13, our customer service staff is trained to initiate our internal COPPA compliance process, which includes the deletion from our system of all personal information about the child, including the email address.

FirstDigital may occasionally run contests or sweepstakes. Like our general registration, sweepstakes and contests are not open to children under the age of 13. Any registration for a contest or sweepstakes likewise requests the age of the entrant. If we learn that the entrant is less than 13, the entry will be deleted. Whenever the Site requests personal information from a visitor before the visitor can participate in an activity, the visitor is not required to disclose more information than is reasonably necessary to participate in the activity.

CHANGES TO CHILDREN'S PRIVACY STATEMENT

If FirstDigital changes its policy with respect to the collection of personal information about children under the age of 13, the changes will be posted here and will take effect immediately upon posting.