

## **The following FastTrack Communications, Inc. disclosures are in reference to the FCC Open Internet Rules.**

### **Service Offerings**

FastTrack Communications, Inc. directly offers broadband ISP services in its markets. Please visit the FastTrack Communications, Inc. website to check products, options and requests for contracted services.

### **Performance**

FastTrack Communications, Inc. offers individual speed metrics to its customers. These can be accessed through individual customer logon and password, associated with the customer's service account.

### **Your Internet Service Speeds**

FastTrack Communications, Inc. provides its services under contract, at agreed upon actual speeds, service level terms and availability. FastTrack Communications, Inc. provisions its customers' modems and engineers its network to ensure that its customers can enjoy the speeds to which they have contracted.

The "actual" speed that a customer will experience while using the Internet depends upon a variety of conditions, many of which are beyond the control of an ISP such as FastTrack Communications, Inc.. These conditions include:

- 1.# **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.
- 2.# **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. FastTrack Communications, Inc. does not recommend wireless modem connections for use with its higher speed tiers as many wireless connections do not perform at the speeds delivered by these tiers.
- 3.# **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 traverse the networks of multiple providers before reaching its destination, and the limitations of those networks will most likely affect the overall speed of that Internet connection.
- 4.# **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.
- 5.# **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.
- 6.# **The performance of the modem you have installed**. Modem performance may degrade over time, and certain modems are not capable of handling higher speeds.

This is the reason that FastTrack Communications, Inc., like all other ISPs, may deliver broadband at a promised speed according to the terms of its service contracts, but additional factors may impact the speeds realized on a particular device.

End-user speed tests are available to measure Internet performance at the individual device level. We have provided links to a few of these sites below for your reference. Please note, however, that all speed tests have biases and flaws. Each of these tests measures limited aspects of an ISP's speed and therefore must be seen as a guide rather than definitive measurements of performance.

- # <http://www.speedtest.net>
- # <http://netalyzr.icsi.berkeley.edu>
- # <http://www.broadband.gov/qualitytest/about/>

## **Latency**

Latency is another measurement of Internet performance. Latency is the time delay in transmitting or receiving packets on a network. Latency is primarily a function of the distance between two points of transmission, but also can be affected by the quality of the network or networks used in transmission. Latency is typically measured in milliseconds, and generally has no significant impact on typical everyday Internet usage. As latency varies based on any number of factors, most importantly the distance between a customer's computer and the ultimate Internet destination (as well as the number and variety of networks your packets cross), it is not possible to provide customers with a single figure that will define latency as part of a user experience. FastTrack Communications, Inc. includes service level agreement language in its individual customer contracts for Internet services that cover this aspect of the service.

## **Congestion Management**

FastTrack Communications, Inc. does not implement any congestion management techniques. FastTrack Communications, Inc. operates our network to accommodate the necessary traffic requirements. In the event of congestion, all traffic is classified as best effort.

Our congestion management approach will change over time, as we continue to study and enhance our practices and as new technologies emerge. In the meantime, we will continue to invest in our network in accordance with our normal course of business operations, which includes installing technology that will increase the speed and capacity of our services.

## **Content, Applications, Service and Device Providers**

As a full service Internet Service Provider, FastTrack Communications, Inc. delivers a variety of Internet-based applications. At this time, these include:

- # Voice over Internet Protocol (VoIP)

FastTrack Communications, Inc. does not discriminate any customer traffic. FastTrack Communications, Inc. utilizes the network management techniques that are equal and standard across all user applications. We do not modify our network to make our directly served applications perform better than applications a user would access over the general Internet. For example, FastTrack Communications, Inc. does not manipulate our network to perform better for customers accessing FastTrack Communications, Inc. email servers versus FastTrack Communications, Inc. customers accessing Google's gmail, for example.

The network management practices employed by FastTrack Communications, Inc. do not differ between our directly offered applications to those general applications offered over the Internet.

## **Security Measures**

In the event of Denial of Service (DoS), Distributed Denial of Service (DDoS) attack, spoofing or other malicious traffic, FastTrack Communications, Inc. will implement inbound and outbound filtering on specific hosts. These actions will be performed to ensure reliability and availability of the FastTrack

Communications, Inc. Network. These actions will not be utilized for normal Internet applications and traffic.

## **Privacy Policy**

FastTrack Communications, Inc. has provided this privacy statement in order to demonstrate our firm commitment to your privacy. The following policy discloses our information gathering and dissemination practices for FastTrack Communications, Inc.

### **Information**

FastTrack Communications, Inc. is the sole owner of the information collected on its website.

### **Viewer Privacy**

FastTrack Communications, Inc. does not collect personal information such as names, e-mail addresses, postal addresses, or telephone numbers. Since we do not collect any personal information on this Web site, we do not share any personal information with any third parties nor do we use any personal information for any purposes.

### **IP Addresses**

As noted above, we do not collect any personal information on this Web site. We do, however, collect and store information about your Internet connection when you visit our Web site to read or download information, such as reports, news, etc. We use this information to track Web site use, measure site traffic, and improve site navigation and information. We collect information that identifies:

- # The name of the domain you access the Internet with.
- # The type of web browsing software you use to view our site.
- # The date and time of your access.
- # The platform you are using (i.e. Windows, Macintosh or Unix).

This information is never sold, given or disclosed to third parties. This information is used internally to administer our web site, provide better services to the public, and provide aggregate traffic statistics to FastTrack Communications, Inc. staff. No personal information is collected.

### **Hyperlinks**

Additionally, this site contains links to other sites. FastTrack Communications, Inc. is not responsible for the privacy practices or the content of such Web sites unless operated directly by FastTrack Communications, Inc.. We encourage you to note when you leave our website and read the privacy statements of each website that collects personally identifiable information.

## **Acceptance and Jurisdiction**

By using this service, you agree that you have read, understand and will abide, and be bound, by the terms of this Web Site Privacy and Policies ("Terms"). If you do not agree to these Terms, please do not use the FastTrack Communications, Inc. web site. These Terms shall be governed in all respects in accordance

with the laws of the State of Colorado without regard to the conflict or choice of law rules thereof. Courts sitting in the State of Colorado, federal and state, shall have exclusive jurisdiction over any dispute arising hereunder.

FastTrack Communications, Inc. reserves the right to change, modify or update this statement at any time without notice.

### **Contacting FastTrack Communications, Inc.**

If you have any questions about this privacy statement, the practices of this site, or your dealings with FastTrack Communications, Inc., you may contact us at the following:

FastTrack Communications, Inc.  
779 Tech Center Dr Unit 200  
Durango, CO 81301

**Toll Free:** 1-877-755-0558

**Local:** 1-970-247-3366

**Our Customer Care Center serves as your single point of contact for all your service and support needs. Customer Support, Maintenance and Repair are available 24 hours a day, 7 days a week, 365 days a year, at 877-237-0491.**