

## PRIVACY NOTICE

EPB is committed to protecting your privacy in accordance with applicable law. That is why we have adopted this Privacy Notice in regards to all EPB Fiber Optics video, phone, Internet and similar services (the “Services”). This Privacy Notice statement describes our collection, use, disclosure and retention of information about you and others who use the Services (“Users”), how you may review and correct errors to that information, and enforcement of your rights regarding personal information.

### COLLECTION OF SUBSCRIBER INFORMATION

Information about our Users is collected as necessary in order to provide the Services and to detect unauthorized reception or use of the Services. In order to provide reliable, high-quality service to you, we keep regular business records containing information that you provide such as your name, address, email address, telephone number, identifying information, financial information and other similar information. We collect and maintain information about your account such as billing, payment and deposit history, maintenance and complaint information, and the Service options you have chosen. In addition, we may combine information we collect as a part of our regular business records with personally identifiable information obtained from third parties for the purpose of creating an enhanced database to use in marketing and other activities. We may maintain records of research concerning User satisfaction and viewing habits which may be obtained from interviews and questionnaires. When you use interactive or other transactional television Services (i.e., pay-per-view), our system automatically collects information on your use of such Services, including the programs you view or order.

We use this information to:

- Install, operate and maintain the Services
- Confirm you are receiving the level of Service requested and are properly billed for the Service(s)
- Identify you when changes are made to your account
- Inform you of new products or services that may be of interest to you
- Detect unauthorized reception of the Service
- Determine whether applicable policies and the Agreement for Fiber Optic Services are being violated
- Configure Service related devices and equipment

- Comply with the law
- As otherwise necessary, to provide the Services or otherwise conduct business related to the Services

Except as otherwise provided in this Privacy Notice, EPB’s Acceptable Use Policy, and the applicable Agreement for Fiber Optic Services, EPB does not assume any responsibility, control, oversight, ownership or other interest in the email messages, websites, specific Internet usage history, voicemail, content or other electronic data of its Users; provided that, EPB is permitted to use such information as necessary for EPB to bill Users and to provide the Services. Even if such electronic information is stored in, contained on, or transmitted over property, equipment or facilities of EPB, EPB shall not have any responsibility, control, oversight, ownership, or other interest in such information, provided that, EPB may delete such information as provided in the applicable Agreement for Fiber Optic Services and other policies that is applicable to the Services. Users are and shall remain solely responsible for such electronic information.

### INTERNET AND PHONE PRIVACY

EPB does not use, share, or sell a User’s email messages, specific Internet usage history, call history, voicemail, or other electronic data generated from a User’s internet and phone Service. EPB does not manage or monitor a User’s actions with respect to such User’s internet and phone activities, but EPB may manage or monitor the internet and phone Services in order to provide support to Users, optimize such Services, comply with the law, and meet its obligations with respect to such Services.

### DISCLOSURE OF INFORMATION

Personally identifiable information will only be disclosed for legitimate business activities related to the Services including, but not limited to:

- Billing and collections
- Account Administration
- Surveys
- Marketing
- Maintenance
- Fraud prevention
- Compliance with applicable laws and regulations

In addition, personally identifiable information about you will sometimes be disclosed to others (such as our

employees, contractors, and agents for internal business purposes), as well as outside auditors, professional advisors, service providers, potential business partners, regulators, and franchise authorities, with or without your written consent, if necessary to render the Services or to conduct a legitimate business activity related to the Services.

Although we make every reasonable effort to preserve your privacy, EPB will cooperate with law enforcement, including, without limitation, under subpoena, court order, or search warrant. As a governmental entity, EPB may also be required by state and federal law to disclose personally identifiable information about you that is contained in its business records as directed by state or federal law without your consent. We may also use or disclose personally identifiable information about you without your consent to protect our customers, employees, or property, in emergency situations or to enforce our rights in court or elsewhere.

We reserve the right to compile and share with third parties usage information in aggregated formats, such as ratings surveys and other statistical reports, so long as such information does not personally identify you, your particular viewing habits, or the nature of any transaction you have made using the Services.

## **SECURITY**

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We take reasonable security precautions to protect your personally identifiable information that we collect when you use the Services from unauthorized access, use, and disclosure. However, we cannot guarantee that our security precautions will prevent every unauthorized attempt to access, use, or disclose your personally identifiable information.

## **MARKETING SERVICES**

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From time to time, your name and address might for mailing lists in connection with the promotion of EPB products and Services and other legitimate business activities, subject to the CPNI policies discussed below. If you wish to remove your name from such lists or limit the use of your name and address at any time, please contact us in person, in writing, or by telephone at (423) 648-1EPB (1372). Your opt-out preferences apply to marketing communications only and we may still send you important Service related messages as a User of the Service. You may not opt out of these Service related and transactional communications.

## **RETENTION OF INFORMATION**

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EPB's maintenance of personally identifiable information collected during the time you are a User will be in accordance with EPB's Document Retention Policy. We destroy collected information consistent with the requirements of applicable law and EPB's Document Retention Policy when the purpose for which such information was collected has been accomplished and we no longer need to retain the information for compliance with law, reporting, or other legitimate business activities.

## **RIGHT TO REVIEW AND CORRECT INFORMATION**

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Upon reasonable notice and during regular business hours, you may examine and copy (at your cost) any information we create relating to you at EPB's headquarters located at 10 West Martin Luther King Boulevard, Chattanooga, TN 37402. If you wish to inspect such records, please contact us by mail at the above address or by telephone at 648-1EPB (1372), giving us a reasonable period of time to locate and, if necessary, prepare the information for review, and to arrange an appointment during regular business hours. You will only be permitted to examine records that contain information about you and no one else.

## **SPECIAL NOTICE CONCERNING CUSTOMER PROPRIETARY NETWORK INFORMATION**

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In addition to the provisions of this Privacy Notice, Federal law protects your privacy rights as a customer of EPB's fiber optic phone Service. These rights are in addition to the existing safeguards that EPB already has in place to protect your privacy rights. The Federal Communications Commission requires EPB to notify you of your right to restrict the use of your Customer Proprietary Network Information ("CPNI").

### **What is CPNI?**

CPNI is personally identifiable information that a telecommunications carrier collects when providing phone services to a customer. CPNI typically consists of the type of telephone Service, telephone numbers you have called, call duration and timing of those calls, as well as call frequency and any call management services you use.

### **Permitted Use of CPNI by a Telephone Company Without Your Permission**

EPB may use CPNI for certain purposes without your permission, including marketing. EPB may also use CPNI to respond to your inquiry regarding Services you

currently use or related services offered. In addition, we may use CPNI for billing and collections, repair and maintenance and to protect our property and to prevent fraud.

**Additional Information Regarding Your CPNI Rights**

You have the right to deny or withdraw access to CPNI at any time or to instruct us to disclose CPNI to unaffiliated third parties by written request. Any approval or denial for the use of CPNI is valid until you affirmatively revoke or limit such approval or denial. A denial of your approval will not affect the Services to which you subscribe.

**EPB reserves the right to modify this Privacy Notice at any time. We will notify you of any material changes via written, electronic, or other means permitted by law. If you find the changes unacceptable, you have the right to cancel the Services. If you continue to use the Services after receiving notice of such changes, we will consider that as your acceptance of the changes.**