

PRIVACY AND CPNI POLICY

JULY 26, 2016



Privacy and CPNI Policy (Collectively, “Policies”) of Network Billing Systems, LLC (DBA “Fusion”)

PART I: Fusion Privacy Policy

Fusion is committed to maintaining your privacy. We believe that you are entitled to know how Fusion will collect, use and protect the information you give us, or that we collect from you. These policies describe how we may collect and disclose your personal information.

1. Privacy Policy Scope

This Privacy Policy identifies and describes the way Fusion uses and protects your personal information, including the following:

- What personal information we collect from you.
- What personal information our vendors collect.
- Which organizations collect the information.
- How the information is used.
- With whom the information may be shared.
- How long the information is retained.
- What choices are available to you regarding how we collect, use, and distribute the information.
- What security procedures are in place to protect information under FUSION’s control.
- How you can correct any inaccuracies in the information.

2. Treatment of Information

Information Collected When We Provide Your Services: Fusion is authorized to collect information from you in connection with your use of our services (“Services”).

Generally, Fusion is authorized to collect the personal information that we need to provide you with our Services. We do not collect your personal information for any other purpose without your consent. (See the next section for a list of authorized uses of your personal information.)

When you establish an account for Services, we collect information such as your name, address, and telephone number, as well as information used for credit checks, billing, and payment, and any other information we may need to establish and service your account. When you first order your Services, and when you request any subsequent changes or updates to your Services, Fusion may collect information about the service options that you have chosen. Fusion may also collect your personal information when you contact us: for example, if you ask for support or maintenance, have questions about your bill, send us e-mails, respond to our surveys or emails, engage in chat sessions with us, register for information, or participate in promotions or contests.

How We Use and Disclose Your Information: Fusion considers the information contained in our business records to be confidential. However, Fusion is authorized to disclose your personal information for two general purposes:

- We may be required by law or legal process to disclose information to law enforcement personnel or to other parties in connection with litigation (as described below).
- We may disclose information necessary to provide your Services.

For example, Fusion may use your personal information in order to install, configure, operate, support, and maintain your Services, including, but not limited to, any of the following purposes, business activities and/or needs:

- Provide your Services
- Customize your Services
- Configure Service-related devices
- Account security
- Bill for your Services
- To provide customer service and support
- Manage the network supporting your Services
- Service improvements
- Detect use or abuse of your Services
- Compliance with policies or terms of service

Additionally, Fusion may disclose personal information in connection with Caller ID, 911/E911, and/or directory services in the following instances (which list is not exhaustive):

- We may transmit your name and/or telephone number to be displayed on a Caller ID device, unless you have elected to block such information.
- We may provide your name, address, and telephone number to public safety authorities and their vendors for inclusion in E911 databases and records.
- We may provide your name, address, and telephone number(s) to unaffiliated directory publishers and directory assistance providers for their use in creating directories and offering directory assistance services.

We take reasonable precautions to ensure that non-published and unlisted numbers are not included in our telephone directories or directory assistance services, but we cannot guarantee that errors will never occur. We sometimes disclose your personal information to our employees for FUSION's internal business purposes as well as third party agents and regulators. Typically, we make these disclosures only when the disclosure is necessary to provide your Services or to conduct a legitimate business activity related to your Services.

Some business customers have purchased our services through our third-party agents or master agents. These agents collect all required customer information necessary to order your Services. They have an ongoing contractual relationship with Fusion and the customers who purchase our Services through their agency. These agents retain access to customer information located on Fusion systems for business purposes related to providing service to the end customer. The privacy policies of these agents or master agents will govern their use of customer information.

Information Collected During Use of Your Services: When you use our Services, Fusion may transmit information about you over our network. We transmit this information in order to provide you with our Services. We will not listen to your outgoing or incoming calls or to your voicemail, but we may store information about the date and time of your calls for billing purposes. We may be required to disclose this information and messages along with other personal information about you to comply with law enforcement. We may also monitor and/or record the performance of our Services in order to manage, maintain, repair, and improve your Services. For the purposes of training and/or quality assurance, we may monitor and record your communications with Fusion employees.

Business Transitions: In the event Fusion (or its parent company) enters into a merger, acquisition, or sale of all or a portion of its assets, we may transfer information as part of such transaction. If, as a result of the business transition, this Privacy Policy and the accompanying CPNI Policy are changed, you can find those changes in the places indicated in the “Notification of Changes to this Policy” section below.

Software and Configuration: By collecting and maintaining your information in support software tools, Fusion may use the information you provide to assist you with technical support.

The information collected in the support software is available only to authorized personnel for maintaining and supporting your use of our Services. Fusion may also provide customer contact and support pages that you can use to communicate with Fusion about technical support. Fusion uses the information provided by you on these pages to support your use of our Services.

Fusion may also provide software directly or through third parties for your use in connection with our Services. These programs may be subject to their own terms of service and other policies. Fusion recommends that you carefully read such third party terms and policies to understand how they may use your personal information.

In certain cases, Fusion may configure your Service or Service-related equipment to resolve a technical support issue or otherwise render or deliver your Service. Fusion may perform these configurations at your request, and may do so at your location remotely.

Preferences: Fusion may store information that you provide to personalize your settings so that you do not have to change these settings each time you use our Services. We do not share your preferences with third parties except for service providers or other third parties who may provide certain components of our Services.

Cookies: Fusion may use cookies to customize its services. Cookies are small files stored on your computer's hard drive to simplify and improve your experience. Cookies may be used to remember some of your personalization preferences and Service plan features, including your username and password (if you choose to store them). Fusion also uses information obtained from cookies to improve Fusion sites, and to make decisions concerning advertising, product offerings and services. Most users can disable cookies from their Internet browsers, receive a warning before a cookie is placed on their computer, or erase all cookies from their computer hard drives by following the instructions provided by the browser. This Privacy Policy covers the use of cookies by Fusion on the Fusion websites only; it does not cover the use of cookies by any other party or website unless stated otherwise.

3. Communications from Fusion

Service Announcements: We send Customers service-related announcements from time-to time. For example, we may send you an e-mail announcement about a pricing change, a change in operating policies, or new features of your Service. You may not opt-out of these service related communications.

Customer Service: We communicate with you to provide requested services and support for questions and issues relating to your account. We will reply to your requests for customer service by e-mail, phone, or through any other reasonable means.

Email Communications: E-mail is a popular communication tool through which you may communicate with Fusion. Likewise, Fusion may use e-mail to communicate with you, respond to your e-mail, and to inform you about changes to your services.

4. Links; Advertisements

Links: The Fusion website may contain links to other websites. Some of these websites may be cobranded with Fusion and may look like part of the Fusion website, but Fusion is not responsible for the privacy practices of these other sites. We encourage you to be aware that the Privacy Policies described here do not apply when you leave your service and we recommend that you read the privacy policies of every website that collects personal information about you, whether the site is co-branded with Fusion or not.

Advertisements: Advertising companies may deliver ads on some Fusion sites. You should be aware that when you click on these ads, the advertising companies may also deploy cookies to receive anonymous information about ad-viewing by Internet users on Fusion sites and other websites. This information is associated with your Internet browser, but cannot be associated with your name or e-mail address without your permission. Advertising companies may therefore know where you search on the Internet using your computer, but they do not know who you are unless you tell them. FUSION does not provide personally identifiable information about its customers or Fusion site visitors to these advertising companies.

5. Security

Fusion takes the security of our Customers' personal information seriously. We follow industry standard practices to protect your personal information from unauthorized access.

Web Security: Fusion utilizes several encryption methods to ensure that the data you submit on any of the Fusion sites is secure. Through this "secure session," information that you input into a Fusion online order form will be sent and will arrive privately and unaltered at a Fusion server. This security prohibits access to your information by other companies and Internet users.

Children: Fusion does not intend to collect personally identifiable information from individuals under 18 years of age. If Fusion becomes aware that a user who is under 18 is using a Fusion site, Fusion will specifically instruct that individual that they are not to submit information on Fusion sites without a parent or guardian's consent. If a child has provided Fusion with personally identifiable information without Fusion's knowledge, a parent or guardian of the child may contact Fusion and Fusion will delete the child's information from our existing files.

6. Correcting and Accessing Information

If your personal information changes you may update our records by either contacting Fusion Customer Service or by updating your information via your Fusion -provided web login. You will be contacted at your e-mail address of record and notified of any changes to your personal information. In the event that you are changing your e-mail address of record, then you will be contacted at your old e-mail address of record. If you have forgotten or lost your password to your Fusion-provided web login, then your password may be sent to your e-mail address of record.

In the event that your e-mail address bounces, our communications may be sent to your physical address of record.

We will correct our records on a going-forward basis when the personal information we have collected about you is inaccurate. Please note we have no control over information appearing in the directory lists or directory assistance services of directory publishers or directory assistance providers not affiliated with Fusion.

7. Retention of Information

Fusion maintains your personal information in our regular business records while you are a customer of your Services. We may also maintain this information for a period of time after you are no longer a customer if the information is necessary for the purposes for which it was collected or to satisfy our legal requirements and/or obligations. These purposes typically include business, legal, or tax purposes. If there are no pending requests, orders, or court orders for access to this personal information, we may

destroy the information once it becomes unnecessary to those purposes for which it was collected.

8. Legal Disclaimer

We make every reasonable effort to protect customer privacy as described in this Privacy Policy. Nevertheless, we may be required by law to disclose personal information about a customer without his or her consent and without notice in order to comply with a valid legal process such as a subpoena, court order, or search warrant. We may also use or disclose personal information about you without your consent to enforce our rights in court or elsewhere, or directly with you, and for violations of the Service's terms of service and policies.

PART 2: Fusion Customer Proprietary Network Information (CPNI) Policy

Fusion is committed to maintaining your privacy as one of our customers. In addition to protecting your personal information, as described in our Privacy Policy, we are obligated to give additional protections to certain information about how you use your Services.

1. Authorized CPNI Use

WE WILL ASSUME THAT YOU DISAPPROVE OUR SHARING OF THIS INFORMATION WITH THIRD PARTIES FOR MARKETING PURPOSES OR USE OF THIS INFORMATION IN MARKETING NON-COMMUNICATIONS SERVICES, UNLESS YOU CONTACT US AND PROVIDE WRITTEN APPROVAL. WE RETAIN THE RIGHT TO USE YOUR CPNI FOR FUSION INTERNAL BUSINESS PURPOSES OR WHERE REQUIRED BY LAW.

2. Information We Collect

In providing Services to you we ask for certain personally-identifiable information; that is information that identifies you individually. Your information may include: name, service address, billing address, telephone numbers, social security number, driver's license number, other services selected, demographic information, user IDs, and passwords, email addresses, correspondence and communication records. We maintain customer information concerning credit, billing and payment, security deposits, and other service-related functions. In providing our Services, we may also collect information about your hardware, software, network and other preferences to aid in customer support.

It is our policy to collect only the personal information needed to provide the Services we offer with the quality you desire and deserve. It is also our policy to keep that information secure and to retain it only as long as needed for our business purposes or as applicable law may require.

We take reasonable precautions to identify you or your authorized representative when we receive an inquiry on your account.

In providing VoIP (Voice over Internet Protocol) telephone services, we receive usage information including numbers called and received and duration of calls. We treat all such information as private and retain telephone service information only so long as needed for business purposes or as required by applicable law.

3. CPNI Protections

We protect personal information related to the following services:

- Information that relates to the quantity, technical configuration, type, destination, location, and amount of use of a Service subscribed to by any customer, and that is made available to Fusion by the customer solely by virtue of the Fusion –customer relationship; and

- Information contained in the bills pertaining to telephone exchange service or telephone toll service received by a customer. That information, when matched to your name, address, and telephone number is known as Customer Proprietary Network Information, or CPNI.

Examples of CPNI include information typically available from telephone-related details on your monthly bill, technical information, and type of service, current telephone charges, long distance and local service billing records, directory assistance charges, and usage data and calling patterns.

As a customer of our Services, you have the right, and Fusion has a duty, under federal law, to protect the confidentiality of your CPNI except when provided with an affirmative written request by you to disclose CPNI to any third party. Fusion maintains internal policies and procedures consistent with all FCC requirements for protecting your CPNI.

We are required to notify you immediately of changes to your account, specifically changes involving a password, an online account, or the address of record. We are also required to notify law enforcement of any breach of your CPNI information within seven (7) days. One week later, you will be informed of the CPNI breach dependent upon law enforcement requests for no notification or law enforcement releasing us to inform you of the breach prior to the passage of one week.

Business customers, particularly those who purchase VoIP services, often use an independent agent or master agent to purchase Fusion Services. Based on the contractual relationship between all parties, these independent agents have ongoing access to Fusion customer account information which can include CPNI. The Privacy Policy and CPNI policies of the independent agents will govern how they protect customer CPNI. These independent agents are contractually authorized to access and in some cases make changes to a customer's account and are generally capable of acting on the customer's behalf.

4. CPNI Procedures

CPNI Call Detail Records ("CDR") will never be given to any party over the phone. CDR may be requested over the phone and upon such request to customer service the information will be sent to your e-mail address of record provided that the record has been unchanged for at least thirty (30) days. Customers will have ongoing access to account information including CPNI via Fusion-provided online logins. These online logins are password protected via customer-provided passwords. In the event you lose or forget a password, Fusion will send your password information to your e-mail address of record.

Notification of Policy Changes

Fusion reserves the right to update these Policies from time to time and without advance notice to you. If we change these Policies we will post those changes, www.fusionconnect.com or in other locations on our websites we deem reasonably appropriate, so that you can be aware of what information we collect, how we use it, and under what circumstances, if any, we disclose it. If you decide to continue receiving your Services after we make and post any changes to these Policies, you shall be deemed to have consented to the revised policy as updated.

Contacts

If you have any questions or concerns regarding these Policies, please contact FUSION Customer Service.