



PRIVACY POLICY

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YOUR PRIVACY AS A BLUEPEAK CUSTOMER. As a customer of Clarity Telecom, LLC d/b/a Bluepeak (“Bluepeak,” “we,” or “us”), you are entitled to know what we do with personal information about you that we receive. We consider our treatment of such information to be a part of the trust you place in us by using our website and billing platform, Cable Television, and/or High Speed Internet (“Services”). We keep only Personal Information that is needed to provide our Services, treat it as private, use it only for what we offer you, do not sell it to others, work to keep it secure, and destroy it when it is no longer needed.

1. Information We Collect:

a. Personal Information – In providing Services to you, such as when you register for an account, access certain content or features, or complete a form, we obtain certain personal information (“**Personal Information**”). Personal Information may include:

- **Contact Information**, such as name, address, telephone number, email addresses;
- **Demographic Information**, such as social security number, driver’s license number;
- **Login Information**, such as user IDs, passwords;
- **Payment and Financial details**, such as billing records, credit card or other payment method information; and
- **Other Information**, such as premium service subscription information, correspondence, communications records, and automatically collect information about your video equipment, computer hardware and software, modems, routers, settings, and other preferences to aid in providing the Services and customer support.

b. Cable Television Services – We collect and maintain Personal Information in providing you with our cable television Services. Unless you are notified and agree, we will **not** collect Personal Information concerning most video program viewing, except as necessary to bill you. In providing some specific cable television Services, such as pay-per-view, and entertainment-on-demand interactive cable Services, we do maintain limited usage information for billing, programming and related purposes. Personal Information that relates to a group of individuals, from which individual identities have been removed, that could not be reasonably linkable to you (“**Aggregate Information**”) may be collected and used for programming, advertising, and similar purposes. When we provide digital video recorder Services, we may also receive detailed information concerning your use and operation of the recorder for the uses described below in “Use and Sharing”.

c. Internet Services – Like most Internet service providers, we automatically collect certain general information concerning your use, such as the Internet Protocol (IP) addresses assigned (an identifier 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 type information is generally retained for about six months. We do not store online messages sent or received unless left in your Bluepeak High-Speed Internet account file. Since we do not control Web sites or Internet Services operated by third parties, we recommend that you review the terms of service and privacy policies of those Web sites and Services as the information practices of these third parties are governed by their own privacy policies and are not covered by this Privacy Policy. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly.

d. Telephone Services – In some areas, we provide telephone services by traditional “switched” technology. We do not listen to or record your calls. We do, however, monitor certain calls to our staff for quality purposes. If you object to this, you may tell us when you call Customer Care. In providing telephone services, we do receive usage information, including numbers called and received, and duration of calls. We retain this information for up to two years, as required by some authorities and treat all such information as private.

2. Use, Disclosure, and Retention of Personal Information. We consider Personal Information confidential, and use it only in providing our cable television and Internet Services for such things as sales, installation, operations, administration, advertising, marketing, support, network management, maintenance, customer care, communications with you, billing and collection, and for accounting and tax purposes. We may also use Personal Information in dealing with fraud and unauthorized use of our Services. We use Aggregate Information about our customers and their usage for a variety of purposes. We may share such Aggregate Information with third parties in the course of providing the Services but will not share Personal Information with third parties without your permission.

a. We may share your Personal Information to:

- conduct a legitimate business activity related to providing cable service or other Services or in connection with our other agreements;
- detect unauthorized reception of our cable service;
- disclose names and addresses to third parties for purposes as mailing lists, charities, and direct mail marketing, unless you notify us in writing that you do not wish us to disclose it. You may opt-out of such communications by writing to us at any time to the return address on your billing statement, or online at www.mybluepeak.com. No such disclosure may reveal directly or indirectly the cable Services you view or other transactions you make;

- comply with any court order, law, or legal process, including to respond to any government or regulatory request; and
- protect the rights, property, or safety of our company, users of the Services, or others.

b. Online Marketing – We use Google AdWords Remarketing to advertise Bluepeak across the Internet, in particular on the Google Display Network. AdWords remarketing will show you ads based on your past interactions with the Services by placing a cookie in your browser. This cookie does not in any way provide us with information such as name, account numbers, social security numbers, or addresses nor does it give us access to your computer or mobile device. This cookie is used to indicate to other websites that you visited a particular page and would be responsive to ads relating to that page. If you do not wish to see ads from Bluepeak you can opt out by visiting Google’s Ads Settings at <https://tools.google.com/dlpage/gaoptout> or by opting out of a third-party vendor’s use of cookies by visiting the Network Advertising Initiative opt-out page at <http://www.networkadvertising.org/choices>.

c. Merger, Sales, or Transfers – We also reserve the right to transfer your Personal Information to a buyer or other transferee in the event of a merger, divestiture, restructuring, reorganization, dissolution, sale, or other transfer of some or all of our assets, equity or similar transaction. Should such a sale, merger, or transfer occur, we will use reasonable efforts to direct the transferee to use your personal information in a manner that is consistent with our Privacy Policy.

d. Outside Parties – Bluepeak sometimes uses affiliates, vendors, or partners in providing our Services and may provide your Personal Information for such purposes. We require that outside parties maintain at least the same level of confidentiality that we maintain. In addition, any use by the vendor may not exceed that which is necessary to provide its service. We do not share your Personal Information with other third parties without your consent. If you become a customer of a third party directly, you should review its privacy policy, as it may differ from ours.

e. Retention Policy – Bluepeak may retain Personal Information in its regular business records as long as you are a customer or until such Personal Information is no longer needed for business, tax, or legal purposes. Our security measures for Personal Information are discussed below.

f. Telephone Services – Federal and some state regulations limit our use and sharing of certain information concerning a customer’s telephone services. This information is known as “Customer Proprietary Network Information” or “CPNI”, and includes information on how you use our telephone services, such as your call patterns, service features, price plans, spending profiles, call destinations and related information. In offering our spectrum of local and long distance telephone, we do use your telephone service information to offer you new services and pricing plans. If you do not want us to use your CPNI for this purpose, you may contact us at the number or address listed on the cover of this notice or on your regular bill. On the other hand, if you would like us to offer you information on video and data services or would like to learn about our bundled offers, please contact us in any of the same ways. Consenting to allow us to use your CPNI will help us offer you the best and most up-to-date services. Your consent will remain in effect until you notify us that you want to revoke or change your permission. Your choice will not affect the services you now receive. We do not disclose this information to unrelated parties, except as required by law.

g. Directory Listings – We offer our telephone customers the ability to designate their listings as non-published within print or electronic directories or directory assistance services. Because of the complexity of this process and the involvement of other entities in publishing, errors may occur from time to time. These and certain other telephone services are offered subject to tariff or contractual terms that limit our liability in the event of such errors.

3. Internet Security. Maintaining the security of your personal computer is an important part of protecting your own privacy and of helping us protect our network and customers’ service.

a. What You Can Do – You should follow our Acceptable Use Policy found at mybluepeak.com/AUP and use and regularly update your antivirus software, firewall, wireless network security, and operating system to prevent unauthorized access by others and harm from various forms of viruses. You should regularly back up your computer to preserve your files, including email or other messages you want to keep. Persons with questionable intent may use the Internet or email to pose as someone you trust or do business with. You should always be sure who you are dealing with before clicking on an internet link or giving personal information. To avoid all these and other forms of attacks, we encourage you to visit our website at www.mybluepeak.com or the Federal Trade Commission (“FTC”) at <http://www.ftc.gov> for regular updates and tips on protecting yourself. Bluepeak and our customer service department may take protective action related to the Services or contact you directly with information from time to time to help maintain the security of the Services. Moreover, since we cannot control web sites or Services operated by third parties, you should review their terms of service and privacy. While we take reasonable steps to protect your Services, we highly recommend that you regularly change your login password, using hard-to-guess combinations of numbers and letters. Once communications enter the Internet, it is possible for them to be accessed by third parties over whom we have no control.

b. Spam – Bluepeak tries to prevent and to block spam, and we encourage your help by preventing unauthorized access to your computer. We suggest that you remain up-to-date on ways to avoid and combat spam by watching for advice and tips on our website at www.mybluepeak.com. We may use email to send transactional or relationship messages related to your service. If you prefer, you may opt-out of other marketing messages we may send by notifying us in response to any you may receive.

4. Cookies. The Services may use cookies to collect anonymous information about your visit to our website and to manage information concerning your preferences. A cookie is a text file that websites send to a visitor’s computer or other Internet-connected device to uniquely identify the visitor’s browser or to store information or settings in the browser. It can be read by the website that placed it to note information about your visit, such as your type of web browser, operating

system and Internet Protocol (“IP”) address. It can also be used to recognize you when you log in as a registered user or as a repeat visitor returning to our website. This allows us to tailor our site by remembering you and any options you select. You can control what cookies are accepted by your computer through the settings on your web browser or by deleting them from your files. Please note, however, that without cookies you may not be able to take full advantage of all of the features of the Services.

a. **Third-Party Cookies and Web Beacons** – These forms of computer code are sometimes placed by advertisers or others with connection to a webpage and may be read by the ad’s provider. They may use a form of code called a “web beacon” or “clear GIF”. These are usually contained in a transparent image on a page or in an image on an email message and serve as a way to gather information about your visit, such as your IP Address and information or statistics about your visit. As with cookies, you can use your browser settings to control web beacons. We may share non-personal information obtained from cookies and web beacons with vendors, advertisers, and others.

5. **Security of Information.** We have implemented measures intended to protect your personal information from accidental loss and from unauthorized access, use, alteration and disclosure. For our most sensitive databases, we use encrypted formats within controlled and secure environments that have restricted access. Please note that the electronic transmission of information is not completely secure. We cannot guarantee that the security measures we have in place to safeguard personal information will never be defeated or fail, or that such measures will always be sufficient or effective. Data breach notifications shall be sent out in accordance with applicable laws. Any transmission of personal information is at your own risk.

6. **Children’s Privacy.** The websites provided by Bluepeak are not directed at, nor intended for use by, children under the age of 13. If you believe your child may have provided us with personal information, you can contact us at the return address on this notice or found on your monthly bill and we will delete the information. You can find more information about protecting children’s privacy by contacting the FTC or viewing its website at <http://www.ftc.gov>. As a provider of an electronic communications service, we are required by law to report any evidence we may become aware of relating to violations of laws concerning child pornography.

7. **Customer Rights.** As a customer, you may review your Personal Information maintained by us by contacting a Customer Care representative. We will need a reasonable amount of time to collect the information and remove any references to other customers. You may request correction of any errors in Personal Information that we collect or maintain pertaining to you. You have the right under federal law to enforce your legal privacy rights concerning our collection, use, and sharing of your Personal Information.

8. **Other Agreements.** Other terms and conditions affect our Service offerings, including certain Cable Television service contracts, our Acceptable Use Policy (located at <http://www.mybluepeak.com/AUP>), tariffs, and the Residential User Agreement (located at <http://www.mybluepeak.com/residential-user-agreement>) for our websites. Changes in our service offerings, the law, and policy may cause us to make changes to this and other policies from time to time in our sole discretion.

9. Miscellaneous

a. **Data Transfers** – We are based in the United States. When we obtain information about you, we may transfer, process, and store such information outside of the country in which you reside, including in the United States. By using the Services, you consent to the transfer to and processing and storage of your information in countries outside of your country of residence, which may have different data protection laws than those in the country where you reside.

b. **Changes To Our Privacy Policy** – We reserve the right to update or change this Privacy Policy at any time. If we make a material change to our Privacy Policy, we will provide notice to you (by posting on our website) that our privacy practices have changed and will provide a link to the new policy. In the event we make a material change to how we use your personal information, we will provide you with an opportunity to opt out of such new or different use. The date this Privacy Policy was last revised is at the top of this page. We encourage you to review this Privacy Policy periodically to check for any updates or changes.

c. **Network Transparency** – Bluepeak provides this Network Transparency Statement in accordance with the FCC’s Restore Internet Freedom Rules to ensure that you have sufficient information to make informed choices about the purchase of broadband Services.

d. **Annual Do Not Call Registry Notice** – Bluepeak maintains the highest standards of ethical conduct in all its marketing activities and is committed to complying with all federal and state law. No employee or agent of Bluepeak shall engage in telemarketing practices that violate the provisions of the Telephone Consumer Protection Act of 1991, the FTC Telephone Sales Rule, or applicable state regulations. In performing its duties under these requirements, Bluepeak provides a written copy of this Do Not Call Policy to all personnel or entities that make calls for telemarketing purposes on our behalf. In addition, we also provide training to all our business office personnel and any personnel engaged in any aspect of telemarketing on our behalf, to ensure that they are informed and knowledgeable in regard to the existence, use, and maintenance of our “Do Not Call” list. If you do not want to receive sales calls from Bluepeak, you can ask us to place your telephone number on the Bluepeak “Do Not Call” list. In compliance with federal and state laws, upon your request, we’ll make a record in our files that you contacted us and we will immediately add your number to our “Do Not Call” list. Please allow up to 30 days for your telephone number to be removed from any sales programs that may be currently underway. To add your telephone number to our “Do Not Call” list, you can make your request in writing to the address below or by calling 1-888-975-4BLU (4258). You should include your name, address, and telephone number in your request. Attention:

“Do Not Call” List Administrator Bluepeak, 5100 S Broadband Lane, Sioux Falls SD 57108. If you have multiple telephone numbers, please tell us all numbers that you want included on the “Do Not Call” list. You will remain on our “Do Not Call” list for five years, unless you ask to be removed. If your telephone number ever changes, you must give us your new information for your “Do Not Call” status to remain in effect. Being placed on Bluepeak’s “Do Not Call” list means that you will not receive sales calls from anyone representing Bluepeak. We may still contact you, however, for non-solicitation and non-telemarketing purposes. This type of contact may include surveys, billing, and other service-related matters. Please note that the Bluepeak “Do Not Call” list restricts marketing contacts from Bluepeak only, so you may continue to receive calls from other companies including affiliates of Bluepeak unless you also contact those other companies directly. However, to make this process easier, you may add your number to the National Do Not Call List. You may do so by calling 1-888-382-1222 or going online at www.donotcall.gov. Please be assured that Bluepeak respects your right to privacy.

10. Contact Us. If you have any questions about our Privacy Policy, please email us at www.mybluepeak.com/privacy, contact your local Bluepeak office at the address and telephone listed on your bill, or call 1-888-975-4BLU (4258).

GENERAL INFORMATION.

Services and prices – Please contact us at 1-888-975-4BLU (4258) or by visiting our website at www.mybluepeak.com for information on Services and prices including: Products and Services offered, Prices and options for subscribing to Services, Channel positions, Installation and maintenance policies and prices. Instructions for using our cable service.

Miscellaneous Fees – A fee is added to any bill amount unpaid after the due date. If your payment is made with a non-sufficient fund check, you may be charged a fee for handling.

Delinquent Accounts – If your service is disconnected for non-payment, we require full payment of the balance, a deposit, a reconnect fee, and a minimum of one month’s service before reconnecting service.

Disconnect Policy – A request to disconnect cable service can occur at any time. Billing for service will stop on the day you request the service to be discontinued. Equipment provided to you by your local cable office must be returned upon disconnecting, or appropriate charges will be assessed.

Signal Blocking Devices – If you can see images or hear sound from a scrambled premium or adult channels that you do not subscribe to, you may have these channels blocked.

TELEVISION EQUIPMENT COMPATIBILITY Cable Converters – Some models of TVs and VCRs, especially older TV sets that are not “cable ready,” may not receive all of the channels offered when connected directly to the cable system. If your TV or VCR is not able to receive all of the channels, you can obtain a set-top channel converter from Bluepeak or a retail store at a nominal charge. If you plan to purchase cable Services that we scramble or encrypt, such as premium, pay-per-view or digital Services, you should make sure that any set-top converter or navigation device you purchase from a retail outlet is capable of working with the separate security cards that we must provide in order for your equipment to access such programming devices. Upon request, we will provide you with the technical parameters needed for any such device to operate with our security cards and cable system. Also, you should know that receivers with descrambling units are illegal to sell or use unless authorized by Bluepeak. If you receive service through a set-top channel converter, you may not be able to use special features and functions of your TV and VCR. These may include features that allow you to view a program on one channel while simultaneously recording a program on another channel, record two or more consecutive programs that appear on different channels, or use advanced picture generation and display features such as “Picture-in-Picture” and channel review. Bluepeak may be able to resolve these issues through an additional converter or other equipment that is available for lease upon request. Cable Cards – Certain new TVs are sold with a Cable Card, which can substitute for a set-top channel converter. Currently, these cards do not allow you to use any interactive or two-way Services that we offer. For more information, you may contact us by calling Customer Care. Rental information, including pricing, is also available at www.mybluepeak.com. Remote Controls – Bluepeak includes a remote control unit with set-top channel converters. Some television, VCR or DVD remote controls are also capable of controlling the basic features of your set-top box. “Universal” remote control units that are compatible with the basic features of set-top boxes may also be obtained from other sources, such as consumer appliance, electronics outlets or over the Internet. These universal remote controls may not be compatible with certain set top features or Services available from Bluepeak in certain markets.

COMPLAINT PROCEDURES – In the event that a service or billing issue occurs, you should call us at the telephone number listed on this notice. A fully trained Customer Service Representative can often resolve your problem over the telephone. If this cannot be done, we will set up an appointment for a skilled technician to come to your home. If, in your opinion, the service technician fails to correct the reception problem, you should call us again and we will review the actions taken. Should we continue to be unable to resolve the problem to your satisfaction, we will explain the reasons we cannot solve the problem. If you believe Bluepeak has not properly resolved your issue, you have the right to contact the applicable franchise authority at the address and telephone number listed on your monthly cable bill.

Contact Bluepeak If You Have Questions - If you have any questions about our policies described in this notice, please contact your local Bluepeak office at the address and telephone listed on your bill or call 1-888-975-4BLU (4258).