

Open Internet Disclosure Statement

Gateway Telecom, LLC dba StratusWave Communications (“we” or “our”) provides the following disclosure regarding our network management practices, as well as the performance and commercial terms of our broadband Internet access service. This disclosure is provided to all 1) customers to make informed choices regarding their use of our services and 2) for content, application, service and device providers to develop, market and maintain Internet offerings.

Our Service and Performance

StratusWave Communications is a total communications provider featuring local telephone service, long-distance telephone service and Internet solutions. StratusWave offers a single point of contact for business and residential customers. We use a variety of technologies to deliver broadband Internet access service, including wireless point-to-point and point-to-multipoint services, backhaul, landline T-1s and wholesale DSL service. Our wireless service technologies include Wi-Max and pre-WiMax standards, and our T-1 lines use TDM. We also provide dial-up Internet service that is outside the scope of this disclosure statement.

Based on internal testing, a user’s expected and actual access speed and latency will vary based on network conditions, congestion, other users on the network, the number of devices attached to an access point and other factors. Maximum speeds will be limited by these factors and in accordance with our congestion management practices as described below. We run speed tests when we install service to our customers, and we provide this information to customers on request. We also recommend speed test sites to our customers. We systemically monitor network performance to make sure that congestion is not excessive. We maintain less than 60 ms latency to our end users throughout our network, and actual latency is usually much less. As a result, our broadband Internet service is suitable for all real-time applications.

We offer end users the following “specialized service”: facilities-based voice over broadband T-1 circuits using integrated access devices at the edge. Such services may affect the amount of last-mile capacity available for and the performance of broadband Internet access service by restricting the overall available capacity for internet access.

Congestion Management Practices

Providing quality broadband service requires that we take steps to provide reasonable management of our network(s). Subject to reasonable network management, we do not block lawful content, applications, services or non-harmful devices, nor do we unreasonably discriminate in transmitting lawful network traffic over a consumer’s broadband Internet access subject to our reasonable network management. The purposes for such management are to monitor and prevent spam, viruses and malicious content and to handle congestion on our networks.

We have congestion management techniques in place that are designed to reduce or eliminate congestion on our networks. Multiple users share upstream and downstream bandwidth on our networks. At times users place a disproportionate demand on this bandwidth and on the capabilities of our network, thus potentially degrading the experience of other users. To date, we have not had to alleviate congestion under these circumstances; however, we may need to shut down a customer's network connection or limit network traffic during an emergency outage or when traffic is degraded due to viruses, spam or malicious content. We reserve the right to take these steps under these circumstances.

Our congestion management techniques are triggered on a portion of our networks when our carrier partners report that they have experienced spam, viruses, denial-of-service attacks or other malicious content. Typically these practices occur infrequently on our networks. Each situation is different, and we may address a problem in one or more of the following ways: informing the customer by phone (or email if available) about the problem, lowering the customer's bandwidth until the problem is resolved, shutting down a local area network or other means. In many cases, the end user's experience is unaffected, although in some instances customers may experience effects such as longer upload/download speeds.

We do not address application-specific behavior in our network practices, although we reserve the right to block any ports to address problems, viruses, spam or malicious content. At present, we don't inhibit or favor certain applications or classes of applications; however we reserve the right to do so for VoIP traffic if needed to preserve quality of service for that application. In addition, customers in setting up wireless networks can themselves specify access levels for prioritization. We have no restrictions on the types of devices that may connect to our network or any approval procedures for devices to connect to our network.

We take seriously our commitment to security of our network and of service to end users. To advance this goal, we engage in practices used to facilitate such security. Our radios use industry standard encryption, and our routers are password protected, as are our access lists for our routers. Traffic is firewalled and is not routed unless the appropriate access codes are used. Our tech support staff and network managers have secure access to security and protected network information. In general our security measures do not prevent end users from running a mail server or web server using their broadband connection, but we ask customers in advance if they intend to make such uses given the bandwidth required for these purposes.

Commercial Terms

Information about our pricing terms is available here: http://www.swave.net/cgi-bin/public.cgi?action=show_categories. Different speed tiers are available for different levels of residential service, while business packages are tailored to individual business customers. We have no usage-based fees, although from time to time we may monitor traffic and reach out to customers about subscriptions to a different package if their

current package no longer meets their needs. If a customer terminates their contract early, we expect them to pay all remaining monthly recurring charges. We may charge fees for additional network services, such as for a static IP address, a block of IP address, configuration of a point-to-point VLAN, installation chargers, limited web hosting and servers for streaming video. More information is available on our website.

Our service does not involve the inspection of network traffic through deep packet inspection, and we don't review user's content in connection with our network management practices. We review aggregated data relating to network routers to enable us to provide service.

If you have questions or complaints about our service, our technical support information can be found here: http://www.swave.net/tech_support.shtml. When we receive complaints or questions, we open trouble tickets for incoming calls. These tickets are assigned to our network technicians. If the issue can't be resolved by the technician, the ticket gets routed to our vice president of engineering for follow up. We make best efforts to resolve complaints expeditiously.

We reserve the right to make changes to our Open Internet policies. These changes will take effect when posted on our website.

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