



CFU COMMUNICATIONS UTILITY

SERVICE POLICY

CEDAR FALLS UTILITIES
COMMUNICATIONS UTILITY SERVICE POLICY

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STATEMENT OF OPERATION

CEDAR FALLS UTILITIES

COMMUNICATIONS UTILITY SERVICE POLICY DIVISION ONE

SECTION 1.1 - - Preliminary Statement

These policies and procedures have been promulgated by the Trustees of the Municipal Communications Utility of the City of Cedar Falls, Iowa, and are designed to promote consistency, equity and quality service to all customers. They are supplementary to and do not intentionally conflict with other regulatory authorities including the Federal Communications Commission, Iowa Utilities Board and the Cedar Falls Cable Commission. They are subject to change from time to time in compliance with the above regulatory agencies.

This service policy will inform customers, architects, engineers, contractors, inspectors and other interested parties of the conditions governing the use of communication services provided by this utility. The policies are applicable to all service agreements and contracts, unless otherwise provided in such agreements.

This service policy is intended to broadly govern operation of the Communications Utility. Where a policy cannot be reasonably applied to a specific situation, the utility reserves the right to act in an adjudicative capacity to resolve such conflicts.

The Utility's records and service regulations are maintained in the office complex located at Utility Parkway, Cedar Falls, Iowa. All written correspondence should be addressed to Cedar Falls Utilities.

SECTION 1.2 - - Definitions

Unless another meaning is specifically indicated, when used in this service policy:

- a. "Applicant" means a person 18 years of age or older, partnership, firm, association, corporation, governmental agency or other legal entity, applying to the Utility for services. In the case of a residence, applicant also means other persons 18 years of age or older intending to occupy the premises.
- b. "Basic Service" means the cable entertainment television service tier that includes the retransmission of local television broadcast signals.
- c. "Basic Plus Service" means the cable entertainment television service tier above basic service for which a separate price is charged.
- d. "Board of Trustees" means the Cedar Falls Utilities governing body.
- e. "Bulk Service" means cable entertainment television service to multiple residential living dwellings where owners accept the responsibility of a single billing for all their units regardless of occupancy. The owner pays and provides service to tenants, fee is usually included in rent.

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- f. “Cable Act” means Section 631 of the Cable Communications Policy Act of 1984, as amended.
- g. “Channel” means a portion of the electromagnetic frequency spectrum, or any other means of transmission, which is capable of carrying a video signal, an audio signal, a voice signal or a data signal, or any combination of such signals.
- h. “Complaint” means a statement or question by anyone, whether a Utility customer or not, alleging a wrong, grievance, injury, dissatisfaction, illegal action or procedure, dangerous condition or action, or Utility obligation.
- i. “Commercial” means basic, basic plus and digital cable entertainment services to a business establishment whose customers are being provided access to the video services.
- j. “Converter” means a device utilized by a subscriber to change the frequency, or other characteristics of a signal.
- k. “Customer” means any person 18 years of age or older, partnership, firm, association, corporation, governmental agency, or legal entity responsible by law for payment for the communication services from the communication utility. In the case of a residence, customer also means any other person 18 years of age or older occupying the residence.
- l. “Delinquent or delinquency” means an account for which a service bill or service payment agreement has not been paid in full on or before the last date for timely payment.
- m. “Digital Service” means the cable entertainment television service tier above basic plus for which a separate price is charged.
- n. “Drop” means the cable that connects the subscriber terminal at a point in the subscriber’s home, designated by the subscriber, to the nearest feeder cable of the communications system.
- o. “Equipment” means one or more of the following: converter, converter-descrambler, remote-control unit, security devise, addressable control module, A/B switch, ground block, splitter, trap, cable modem, coaxial cable or fiber optic cable which is not inside wiring.
- p. “Ethernet” is a physical link and data link protocol that operates at 10 Mbps (10,000,000 bits per second).
- q. “FCC” means the Federal Communications Commission, its designee, or any successor thereto.

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- r. “Inside wiring” means the cable that exists inside the subscriber’s home or business to a point 12 inches outside of the home or business, and includes any extra outlets, splitters, connections, fittings or wall plates attached to it.
- s. “Installation” means the act of connecting or activating the communications system from the feeder cable to the subscriber terminal so that the subscriber may receive communications services.
- t. “Pay-Per-View Television” means the delivery over the communications system of per-channel or per-program signals to subscribers for a fee or charge, in excess of the charge for basic and basic plus service.
- u. “Premium Channels” means the cable entertainment television service tier above basic plus for which a separate price is charged.
- v. “Service” means any communications service, including the transmission of data, video and voice or any other service, whether originated by Utility or any other person, which is offered to any subscriber in conjunction with, or distributed over, the communications system.
- v. “T1” means a digital transmission link with a capacity of 1.544 Mbps (1,544,000 bits per second).
- w. “Timely Payment” means a payment on a customer’s account made on or before the date shown on a current bill for service, or on a form which records an agreement between the customer and the Utility for a series of partial payments to settle a delinquent account, as the date which determines application of a late payment charge to the current bill or future collection effort.
- x. “Utility” means the Municipal Communications Utility of the City of Cedar Falls Iowa.

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COMMUNICATIONS UTILITY SERVICE POLICY DIVISION TWO

SERVICE CHARACTERISTICS

SECTION 2.1 - - Communications Utility Plant:

The Communications Utility includes a 750-Megahertz broadband communications system that uses a hybrid fiber optic and coaxial cable distribution plant to provide fully interactive communications services. It also includes the fiber optic cable plant without the coaxial cable for digital voice, video and data services.

SECTION 2.2 - - Type of Services

2.2.1 - - Cable Entertainment Television Services

Entertainment services include basic service, basic plus, digital, premium channels, pay-per-view, commercial, bulk, non-profit and advertising video services. Prices for services are established by the Utility Board of Trustees, and the latest edition of approved price schedules are considered part of this document.

2.2.2 - - Data Services

Data Services include CyberHome4, CyberOffice4, CyberOffice10, CyberOffice Network, Domain Name Service, Online Interactive Advertising and Miscellaneous Data Services. Prices for services are established by the Utility Board of Trustees, and the latest edition of approved price schedules are considered part of this document.

2.2.3 - - Special Telecommunications Services

Special Telecommunications Services include T1 point-to-point, Ethernet private point-to-point, private point-to-multi-point, public point-to-multi-point, and other serial interfaces for dedicated voice, video and data services. A form of agreement allows CFU staff to negotiate a customer package of data services for commercial services to fulfill their needs. The negotiated pricing will be based on the current competitive market.

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2.2.4 - - Other Services, Equipment & Miscellaneous Fees

Listed below are the miscellaneous services available to the customers and assorted charges:

{Based on market conditions, these charges may be adjusted}

Service Descriptions	CFU Charges
Standard New Customer Residential cable install (OH or UG) (includes two new outlets, existing or wired new)	\$45.00
Cable Reconnect Fee (Includes Two outlets wired or not) (Note 1)	\$25.00
Upward Change in Service Level	\$13.00
Activate existing pre-wired outlet (per outlet)	\$11.00
Trip Charge	\$13.00
Wire Data Cat 5 Outlet (Note 2)	\$25.00
Wire or move outlet	\$17.00
Wall fish	\$40.00
OH/UG conversion	Time & Materials
MTV Trap	\$5.00
A/B Switch (purchase)	\$5.00
VCR Hookup	no cost
Service Calls & Customer Education	no cost
Home Amplifier (purchase) (needed if >than 4 outlets)	\$32.00
Cybernet Install (sub has no CATV)	\$45.00
Cybernet Install (sub has our CATV)	\$25.00
Cybernet Reconnect	\$20.00
Business Cybernet & Cable Installs	Time & Materials
Non returned cable modem power pack	\$25.00
Non returned residential cable modem	\$200.00
Non returned Business cable modem	\$525.00
Reconnect for Non-Payment	\$15.00
Equipment Fees	
Standard converter Box (per month)	\$1.00
Addressable converter box (per month)	\$1.50
Non returned remote control	\$5.00
Seasonal Rate CATV (per month) (Note 3)	\$2.00
Seasonal Rate Cybernet (per month) (Note 3)	\$2.00
Hourly Service Rate (applies to all misc. customer requests during business hours)	\$15.00

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NOTE:

1. A reconnect is activating cable (or CyberNet) for an existing or previous Communications customer moving in Cedar Falls.
2. A Data Cat 5 outlet is category 5 data wire from a hub or modem to a remote computer location. Includes connectors and wall plate.
3. For seasonal rate CATV and CyberNet customers, CFU will disconnect service and reconnect upon return if the customer gives a return date and calls in advance of the return date.
4. Based on market conditions, these miscellaneous charges listed above may be adjusted.

SECTION 2.3 - - Availability

2.3.1 Cable Entertainment Television and Data Services

These services will be made available to all prospective customers within the corporate limits of Cedar Falls, subject to the provisions governing line extension costs as noted in Section 2.7. In the event of annexation by the City of any new territory, the same policy will apply for prospective customers. In all cases, the Utility will construct, own and maintain all facilities up to the delivery point at the subscriber's property.

2.3.2 Special Telecommunications Services

These services will only be available at locations that meet operational criteria deemed appropriate by CFU.

SECTION 2.4 - - Engineering Practices

Facilities of the Utility shall be constructed, installed, maintained and operated in accordance with accepted good engineering practice in the telecommunications industry to assure, as far as reasonably possible, continuity of service, uniformity in the quality of service furnished, and the safety of persons and property. However, the Utility shall not be held liable in actions arising from interruptions or fluctuations in service. Also, the Utility shall not be held liable for damage to any customer or third party equipment resulting from use of its service or from the presence of Utility equipment on customer's premises.

SECTION 2.5 - - Overhead Construction

Cable and associated facilities may be installed overhead on existing poles in those areas where electric service is provided overhead. No additional poles will be erected on or along any City street without the advance written approval of the City.

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SECTION 2.6 - -Underground Construction

Cable and associated facilities may be installed underground in those areas where electric service is provided overhead, if in the judgment of the Utility, there is operational or financial justification. In those areas where electric service is already provided underground, and in all newly platted areas the facilities will be installed underground.

SECTION 2.7 - - Line Extension Costs

The Utility will construct broadband hybrid fiber optic and coaxial cable facilities at its own cost to all areas of the city when the density of homes meets or exceeds ten homes within 1,320 cable-bearing strand feet. When a service extension is requested in an area of the city in which the density of homes is not met, the Utility will absorb the first One Hundred Dollars per customer of the extension cost. The Utility reserves the right to require payment in advance for the customer's portion of the line extension cost. Construction of line extensions will be completed promptly, and no later than six months after the date service was requested. Nothing in this policy statement shall prohibit the Utility from constructing facilities in new housing developments or other areas of the City, whether or not the density test is met, if in the sole judgment of the Utility such construction will facilitate the efficient future expansion of services.

SECTION 2.8 - -Relocation of Utility Facilities

In those cases where the relocation of Utility facilities is mutually beneficial, the cost may be shared on a basis agreeable to the customer or property owner and the Utility. Only authorized employees may remove, cut, raise or change any facilities belonging to the Utility. The customer or property owner shall reimburse the Utility for the cost of relocating its facilities under the following conditions:

2.8.1 Structural changes in a building that will result in Utility facilities being damaged, inaccessible or unsafe.

2.8.2 Modifications for the convenience of a customer or property owner, which in the judgement of the Utility, does not result in mutual benefits.

SECTION 2.9 - -Ownership of Inside Wiring and Plant Installed in Customers' Facilities

All inside wiring is the property of the customer or property owner, regardless of who may have installed it. Customer or property owner will be responsible for the repair and maintenance of the inside wiring. All equipment including fiber optic cable, termination cabinets and all other equipment installed by CFU in providing special telecommunication services shall remain the property of CFU.

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SECTION 2.10 - - Interruption of Service

If the Utility deems it necessary, the Utility may interrupt its communications service to any customer or group of customers for the purpose of making repairs, changes or improvements upon any part of the Utility's system. When practical, interruptions will be prearranged and advance notice will be given to the customer.

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COMMUNICATIONS UTILITY SERVICE POLICY DIVISION THREE

CUSTOMER RELATIONS

SECTION 3.1 - - Application For Service

Applicants for service may apply by contacting the Utility's Customer Services office either by phone or in person at Utility Parkway. The application will include the applicant's voluntary designation of a person or agency to receive a copy of any notice to disconnect service due to the applicant's nonpayment of a bill or deposit. The Utility shall supply service to the applicant in accordance with this service policy and any applicable FCC rules at a price schedule established by the Utility for the applicant's appropriate class of service.

In order for the application to be complete, the applicant must provide (in addition to the above):

- a. Full Names of all Occupants.
- b. Social Security Numbers (or valid Driver's Licenses).
- c. Date of Birth.
- d. Telephone Number.
- e. Previous Address.
- f. Employer and Business Telephone Number.
- g. Name, Address and Telephone Number of a Relative.

3.1.1 Service Installation

All customers will be provided service in a prompt, non-discriminatory manner. Standard installations will be performed no later than seven days after an order has been placed. All other installations will be completed as soon as practical using due diligence. At a maximum, the appointment window for installation will be a four-hour block during normal business hours.

SECTION 3.2 - - Customer Deposits

A deposit intended to guarantee partial payment of bills for service may be required from either existing or new customers. A person other than the customer may pay the deposit.

3.2.1 Criteria For Initial Service Deposits

A deposit may be required of an applicant if any of the following criteria exists:

- a. Past payment history with the Utility is unsatisfactory.
- b. Applicant has no, or insufficient, credit history with the Utility.
- c. Applicant has no credit or unsatisfactory credit with another utility provider.
- d. Incomplete Application.

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The amount of an initial service deposit will be no more than the actual, or estimated, maximum charge for one month's service in the last 12 month period. A reasonable deposit may be required for a temporary or special occasion.

3.2.2 Criteria For Additional Deposits

A new or additional deposit may be required, upon 12 days written notice, of a current customer whose initial deposit has been refunded or is found to be inadequate. The amount of a new or additional customer deposit will be no more than the actual, or estimated, maximum charge for one month's service in the last 12 month period.

The Utility may also require a new or additional deposit from customers who meet any of the following criteria:

- a. Customer has received two disconnect notices or NSF checks or ACH Reject notices, or a combination of any two, in the last 12 month period. If the customer has had service less than 12 months the number of notices will be prorated.
- b. Diversion of Services or Fraud.

3.2.3 Interest On Deposits

Interest at a rate determined by the Utility's Board of Trustees, compounded annually, will be paid on deposits from the date of deposit to the date of refund or the billing date of any bill to which the deposit is applied. The date of refund is the date on which the refund or the notice of deposit refund is forwarded to the depositor's last known address.

3.2.4 Deposit Receipts

The Utility shall issue a receipt of deposit to each customer from whom a deposit is received and will provide a means whereby a depositor may establish claim if the receipt is lost.

3.2.5 Record of Deposits

The Utility will maintain a record of all deposits indicating:

- a. The name and address of each depositor.
- b. The amount and date of the deposit.
- c. Each transaction concerning the deposit.

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3.2.6 Refund of Deposits

A deposit will be refunded after 12 consecutive months of prompt payment (which includes eleven timely payments and one automatic forgiveness of late payment). This time may be extended when the Utility has reason to believe that continued retention of the deposit is required to insure the payment for future billings for services. The records of a customer not eligible for a deposit refund on the first deposit anniversary date, will be reviewed on subsequent anniversary dates to determine refund eligibility. Upon termination of service, the deposit and accrued interest (if any) less any unpaid billing shall be reimbursed to the person who made the deposit if the remaining deposit balance is greater than \$1.00.

3.2.7 Unclaimed Deposits

A record of each unclaimed deposit shall be maintained for at least 2 years from the date service is terminated. During that period, the Utility will make a reasonable effort to return the deposit. Unclaimed deposits and accrued interest shall be credited to an appropriate Utility account. Deposits remaining unclaimed one year after termination of service will be transferred to the state in accordance with Chapter 556, Code of Iowa.

SECTION 3.3 - - Billing Information

Customers shall be billed on a monthly basis. Charges for services start within 24 hours after service is activated. The billing period will coincide with the period that other services, including electric, natural gas, and/or water services, are provided during each billing month. Billing information will only be made available to the customer or others as designated by the customer. Charges for all communications services will be included in the monthly utility statement that includes all other monthly billings from the Utility.

Billings for any period that is less than 80% or more than 120% of a 30-day period will be prorated on a daily basis.

3.3.1 Billing Form

The following information will be included on the billing form or made available to the customer at the Utility's customer services office:

- a. The dates of service for the billing period.
- b. A detailed listing of all services provided to the customer, including applicable taxes, franchise fees and other charges required by the Utility or any regulatory authority.
- c. The account balances brought forward, the amount of each net charge, and the total amount currently due.

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- d. The last date for timely payment will be clearly shown and will not be less than twenty days after the bill is rendered.

3.3.2 Bill Payment Terms

Billings will be due and payable when rendered and will be considered past-due after twenty days from the time it is rendered. A bill is considered rendered when deposited in the U.S. Mail with postage prepaid. If delivery is by other than the U.S. Mail, the bill is considered rendered when delivered to the last known address of the party responsible for payment. A one-time late payment charge of 1.5% of the unpaid balance will be assessed on past-due accounts. Each account will be granted at least one complete forgiveness of a late payment charge in each calendar year. The customer will be informed of the use of this one-time forgiveness on their late payment reminder notice.

- a. All over payment of billings will be refunded to the person whose name appears on the billing.

3.3.3 Partial Payments

Partial payments made on accounts that have multiple services, and without a designation of what service or product the customer is paying, shall be credited pro rata between the bill for services and related taxes.

3.3.4 - - Returned Checks And Automatic Clearing House Rejects

A service charge in an amount established by the Board of Trustees shall be assessed to any customer whose check is returned unpaid or Automatic Clearing House (ACH) payment rejected by the bank on which it was drawn. The service charge shall be in addition to the late payment penalty if the check is not made good and the service fee not paid prior to the delinquent date of the bill. If two or more checks are dishonored or ACH payments rejected within a six-month period, the Utility may require future payments to be in cash, cashiers check, or money order.

3.3.5 Temporary Disconnects

The Utility may, upon reasonable notice by a customer, make temporary disconnects for the customer's convenience. The customer may be required to pay a fee for such service in an amount to be determined by the Board of Trustees.

3.3.6 Service Calls

The customer will be billed for the cost of services not the responsibility of the Utility, as follows:

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- a. For a service call requesting the relocation of facilities belonging to the Utility, the customer shall be billed for the direct cost of labor and materials. A deposit equal to the total estimated cost may be required in advance of any construction.
- b. For service calls requesting temporary relocation of cable lines or other Utility facilities to accommodate movement of buildings or large equipment, the person responsible for the move shall be billed for the total cost of labor and materials. The Utility shall be given 24-hour advance notice and shall be consulted regarding the route of the move. An advance deposit or cash bond may be required to cover estimated costs.
- c. For a service call requesting installation or relocation of facilities belonging to the customer, the customer shall be billed for the total cost of the service call.
- d. For a service call where the trouble is found to be on the customer's equipment, the customer will be informed of the problem, but will not be charged for the service call.

3.3.7 Adjustments of Bills

(a) Overcharges

When a customer has been overcharged as a result of the incorrect application of the price schedule the amount of the overcharge will be adjusted, refunded, or credited to the customer.

(b) Undercharges

When a customer has been undercharged as a result of the incorrect application of the price schedule the bill(s) will be recalculated back to a period not to exceed 10 years. If the recalculated bills exceed \$5.00 the customer may be back billed for the amount due. Back billing will be completed within 6 months of the discovery of the error. If the back billing creates customer hardship, a reasonable agreement to pay shall be offered. The Utility reserves the right to forego back billings which it determines, are not cost effective.

SECTION 3.4 - - Disconnection or Denial of Service For Reasons Other Than Non-Payment Of Bill Or Deposit

The Utility reserves the right to refuse or disconnect service for any of the reasons listed below, subject to provisions of this section and other provisions of these service rules. Unless otherwise stated, the customer shall be given written notice prior to disconnection of service. In the event the customer has failed to comply with a rule of the Utility, he or she shall be given written notification to comply with these rules. A reconnection fee in an amount established by the Board of Trustees will be charged when the disconnection results from an act or omission on the part of the customer. Reasons for refusal or disconnection of service are:

- a. Without notice in the event of a condition determined by the Utility to be hazardous.

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- b. Without notice in the event of customer use of equipment in such a manner as to adversely affect the Utility's equipment or service to others.
- c. Without notice in the event of tampering with equipment furnished and owned by the Utility.
- d. Without notice in the event of unauthorized use or resale of utility service.
- e. For violation of or noncompliance with Utility service rules.
- f. For failure of the customer or prospective customer to furnish service equipment, permits, certificates, or rights-of-way specified by the Utility as a condition of receiving service. Or for failure of the customer or prospective customer to fulfill his or her contractual obligations for service or facilities.
- g. For failure of the customer to permit the Utility reasonable access to its equipment.

Any written notice mailed to a customer pursuant to these service rules will set forth the reason or reasons for the pending disconnection or denial, and the final date by which the account is to be settled or specific action taken. If more than one reason is specified, the days of notice for the causes shall be concurrent. The notice shall be considered rendered to the customer when deposited in the U.S. mail with postage prepaid. If delivery is by other than U.S. Mail, the notice shall be considered rendered when delivered to the last known address of the person responsible for payment of the service.

SECTION 3.5 - - Disconnection or Denial Of Service For Nonpayment Of Bill Or Deposit

The Utility reserves the right to disconnect or deny service for nonpayment of a bill or deposit in accordance with the following procedures:

- a. The Utility shall make a reasonable attempt to effect collection.
- b. The Utility shall give written notice to the customer and, where applicable, the person or agency designated by the customer to receive such notice, that service will be disconnected if the account is not settled. Notice shall include a summary of the procedures and remedies for avoiding disconnection and a collect telephone number where a representative qualified to provide additional information about the disconnection can be reached. Each Utility representative shall provide their name to the caller, and have immediate access to current, detailed information concerning the customer's account and previous contacts with the Utility.
- c. When disconnecting service to a residence, the Utility shall make a diligent attempt to contact, by telephone or in person, the individual or agency responsible for paying the bill to inform the customer of the pending disconnection and available remedies. If the attempt at customer contact fails, the premises may be posted with a notice informing the customer of the pending disconnection. The notice shall be posted at least one day prior to disconnection.
- d. The Utility shall give the customer a reasonable opportunity to dispute the reason for disconnection to the Utility. If the matter can not be satisfactorily resolved, the customer may appeal to the Board of Trustees as provided in Section 3.8.3.

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3.5.1 - - Avoiding Disconnection – Residential Customers With Financial Difficulty

A residential customer may avoid disconnection by paying his or her bill in full OR by providing confirmation of financial difficulty and entering a reasonable payment arrangement.

In general, failure to comply with a reasonable payment arrangement will subject the customer to disconnection without written notice.

3.5.2 - - Avoiding Disconnection – Disputed Bill

In the event there is a dispute concerning a bill for communication services, the customer may avoid disconnection by prompt payment of the undisputed portion of the bill and by filing a statement with the Utility of the reasons upon which the dispute is based. The Utility will delay disconnection pending settlement of the disputed portion of the bill as outlined in Section 3.8.3.

3.5.3 - - Reconnect Fee

A reconnect fee in an amount established by the Board of Trustees shall be applicable when service has been disconnected.

SECTION 3.6 - - Insufficient Reasons For Denying Service

The following shall not constitute sufficient cause for refusal of service to a present or prospective customer:

- a. Delinquency in payment for service by a previous occupant of the premises to be served.
- b. Failure to pay the bill of another customer as guarantor.
- c. Failure to pay bill adjustments resulting from an error on the part of the Utility.

SECTION 3.7 - - Customer Obligations

Acceptance of service shall obligate a customer to the conditions imposed by this policy, and regulations of the Cedar Falls Cable Commission and the FCC. Customers are specifically directed to Section 2.4 of this policy, which prescribe standards of engineering practice.

3.7.1 - - Notice By Customer To Terminate Service

A customer shall give the Utility at least 1 business day notice, excluding weekends and holidays, prior to final termination or discontinuance of service. Discontinuance of service under this section shall be during normal business hours for the Communications and Customer Services departments.

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3.7.2 - - Prohibition Against Rebroadcast or Transmitted Signals

Cable entertainment television services shall not be rebroadcast or transmitted, nor shall admission be charged for its viewing without written consent, in advance, from the Utility and the programming supplier(s). This consent may be withheld at the sole discretion of either the Utility or the programming supplier.

Pay-per-view programming shall not be ordered or requested from commercial establishments that allow the programming to be viewed in areas open to the public.

3.7.3 Utility Equipment

Equipment owned by the Utility, including, but not limited to, converters and modems may not be moved to a location or address other than the location or address where service was installed, without prior written authorization from the Utility.

3.7.4 Attachment of Equipment

Attachment of any unauthorized device to Utility equipment, or modification to the Utility's equipment or facilities, is prohibited without prior written authorization from the Utility.

3.7.5 Prohibited Equipment Installations

No customer owned equipment or device that interferes in any way with the normal operation of the Utility facilities, including any equipment or device that intercepts or assists in intercepting or receiving any service offered by the Utility, shall be installed on either the customer's wiring or the Utility's facilities.

3.7.6 Damage or loss of Utility Property

Each customer shall be held responsible for all damage to, or loss of property of the Utility located upon customer's premises unless the damage or loss is due to the negligence of the Utility or by any act or omission on the part of the Utility or its authorized representative.

3.7.7 Utility Access

Access to the Utility equipment and facilities shall be granted to the Utility for installation, inspection, testing, repair and other functions necessary for the maintenance of satisfactory service. The subscriber and property owner shall provide, without charge, right-of-way over and on the premises on which equipment and facilities of the Utility are located.

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SECTION 3.8 - - Customer Communications

3.8.1 Utility Customer Service Representatives

A Utility Customer Service Representative charged with customer communication must give his or her name to the customer, whether communication is in person or by telephone. The representative must have immediate access to current detailed information concerning the customer's account and previous contact with the Utility and shall be properly qualified and instructed in the screening and prompt handling of complaints.

3.8.2 Telephone Procedure

The Utility main telephone number 319-266-1761 is attended continuously 24 hours a day 7 days a week for the handling of problems or complaints of an emergency nature. Telephone number 319-266-1761 or 319-268-5280 is staffed during the business hours of 7:30 a.m. to 5:30 p.m., Monday through Friday, and 8:00 a.m. to 12:00 noon on Saturday's, to handle routine business questions and other communications.

3.8.3 Complaint Procedure

Complaints concerning the charges, practices, facilities, or service of the Utility shall be investigated promptly and thoroughly. The Utility shall keep records of written complaints sufficient to enable review and analysis of its procedures and actions. Customers shall be asked to submit complaints in writing.

The complaint shall include the following information:

- a. Name(s) of complainant.
- b. Address(es) of complainant.
- c. Telephone number(s) of complainant.
- d. Nature of the complaint.
- e. Relief sought.

Initial contact by a customer regarding a complaint shall be made with the customer service representative of the Utility. The complaint may be pursued with the appropriate supervisor, the appropriate manager, and the General Manager, in that order, if the customer is not satisfied with the handling of the complaint.

A written complaint may be filed with the Chairperson of the Board of Trustees if the customer is not satisfied with the General Manager's handling of the complaint. If the Chairperson believes the customer's complaint warrants further attention, the Chairperson may place the complaint on the agenda of the next regularly scheduled Board of Trustees meeting for the ultimate resolution of the complaint by the Board of Trustees.

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A customer who is unable to travel need not appear before any Utility official described in this section to explain the nature of their complaint. They may do so by telephone or in some other mutually agreeable fashion.

Complaints involving policies or actions of the Utility that are regulated by the IUB may also be filed with the IUB in accordance with applicable regulations.

SECTION 3.9 - - Utility Obligations for Customer Privacy

The Utility shall abide by the limitations imposed upon operators in the use, collection and disclosure of personally identifiable customer information by the Cable Act.

3.9.1 Customer Information

The collection of personally identifiable customer information shall be limited to name, social security number, service address, billing address, telephone numbers for home and business, employer, account number, installation, billing, payment, deposit, complaint and service records, and converter and equipment records. The Utility shall take reasonable precautions to prevent unauthorized access to this information.

3.9.2 Disclosure of Information

The disclosure of personally identifiable customer information to a third party shall only occur, if the customer provides written or electronic consent in advance, if disclosure is necessary to render communications services and related business activities, or if disclosure is required pursuant to a court order and the customer is notified of such order. In addition, these records may be available to employees, agents and contractors to install, market, provide, or audit communications services and to measure viewership and customer satisfaction and to provide customers with information concerning communications-related products and services offered by third parties. Customer information may also be made available to programmers for marketing and promotions of their service carried on our system; to programmers and outside auditors to check our records whenever such audits are required; to attorneys and accountants on a continuous basis as necessary to render service to the Utility; to representatives of governmental taxing, or regulatory authorities in furtherance of our legitimate business activities; and to collection services if required to collect past due bills at such time as bills are submitted for collection.

3.9.2 Retention of Customer Information

Retention of personally identifiable customer information shall be discontinued when it no longer serves a legitimate business purpose. Some documents such as work orders and involuntary disconnects are kept indefinitely.

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3.9.3 Involuntary Disclosure of Information

Court ordered disclosure of personally identifiable customer information shall be provided to authorities if they offer evidence that such records are material to criminal activity, and if the customer is given the opportunity to appear and contest the evidence.

3.9.4 Information Inspection

Inspection of personally identifiable customer information by customers shall be permitted during normal office hours. Customers shall have the right to correct any inaccurate information.

3.9.5 Legal Remedies

Customers shall have the right to bring a private civil action in the U.S. District Court and may seek to recover damages, costs and attorney fees if the limits under the Cable Act have been violated.

SECTION 3.10 - - Changes to Policies and Procedures

These policies and procedures are subject to amendment, modification or termination if required by applicable federal law, regulations of the FCC, regulations of the Cedar Falls Cable Commission, or actions of the Utility. The Utility shall notify customers of any changes to the approved policies and procedures contained in this document.