

Open Internet Transparency Disclosure

Updated January 2019

The following disclosure describes the network practices, performance characteristics and commercial terms for Bagley Public Utilities (BPU) pursuant to the Federal Communications Commission's Open Internet Transparency requirements.

Network Practices (other than Blocking, Throttling, and Prioritization)

I. Congestion Management

BPU does not block, shape, limit, or control individual internet usage except in cases of abuse mitigation. BPU adheres to guidelines set forth by Congress and the FCC for network openness and interconnection. All BPU consumers are able to access the lawful internet content of their choice under nondiscriminatory provisions. BPU does not use traffic shaping equipment except in cases of abuse mitigation. No traffic shaping equipment is used to neither discriminate against nor preclude any legal use of other provider equipment or services.

II. Application-Specific Behavior

Generally, provisioned data speeds for BPU's mass market services are sufficient to support such applications as gaming, web surfing, or most streaming video. However, because BPU's residential, mass market broadband service does not prioritize such traffic; it is possible that certain applications requiring real time communications may perform at less than optimal levels, especially during periods of peak network demand.

III. Device Attachment Rules

Any standard computer or internet access device is permitted to the extent it does not cause a degradation of internet traffic within the network or to others. BPU reserves the right to set additional standards and rules as warranted.

IV. Security

Security measures that would monitor end user real time usage have not been adopted. It is the responsibility of the end user to monitor their usage and adopt safe practices that they deem necessary to protect any unauthorized access to their personal files and information. BPU does employ internal security measures to monitor aggregate internet usage to avoid a degradation of its IP network and performance. In order to protect our customers, BPU may block ports that are known to be used for DDOS/DOS, virus and other malicious activities, or to steal a user's information.

No blocking. BPU does not block lawful content, applications, services, or non-harmful devices.

Throttling. BPU does not degrade or impair access to lawful Internet traffic on the basis of content, application, service, user, or use of a non-harmful device.

Affiliated Prioritization. BPU does not directly or indirectly favor some traffic over other traffic, including through use of techniques such as traffic shaping, prioritization, or resource reservation, to benefit an affiliate.

Paid Prioritization. BPU does not directly or indirectly favor some traffic over other traffic, including through use of techniques such as traffic shaping, prioritization, or resource reservation, in exchange for consideration, monetary or otherwise.

Performance Characteristics

I. Service Description

BPU Internet service is provided as a “best effort” service, and we have provisioned your service to meet the maximum speeds as advertised. However, internet usage can be affected by many variables across multiple networks, and the usage that you experience may be lower than the maximum speed it is provisioned for. Speeds listed are “up to” a specific level based on the service to which a customer subscribes. The actual speed that a customer will experience while using the internet depends upon a variety of conditions, many of which are beyond the control of an internet service provider such as BPU. These conditions include but are not limited to:

- Performance of a customer’s computer, including its age, processing capability, its operating system, the number of applications running simultaneously, and the presence of any malicious software such as but not limited to malware and viruses.
- Type of connection between a customer's computer and modem. For example, wireless connections may be slower than direct connections into a router or modem. Wireless connections also may be subject to greater fluctuations, interference and congestion.
- The distance packets travel between a customer's computer and its final destination on the Internet, including the number and quality of the networks of various operators in the transmission path.
- Congestion or high usage levels at the website or destination. If a large number of visitors are accessing a site or particular destination at the same time, your connection will be affected if the site or destination does not have sufficient capacity to serve all of the visitors efficiently.
- The performance of the modem/router you have installed.

•The table below shows BPU’s advertised maximum upstream and downstream speeds as compared to the average actual upstream and downstream speeds, as well as BPU’s average latency during busy and non-busy times, for our market. The majority of BPU’s customers subscribe to one of the marketed service tiers listed below. Performance data reflected below was collected by BPU during busy and non-busy times over a 24-hour period for each of the Internet service levels reflected on the table below and reflects an average result. The results below are illustrative of what the majority of users in our markets experience on average. However, the results do not reflect the performance levels to be expected by any individual customer at any particular time.

Provisioned Speed (Download/Upload in Mbps)	Download (Average in Mbps)	Upload (Average in Mbps)	Latency (Average in ms)
Platinum (25/5)	24.14	4.66	22.43
Gold (12/2)	11.87	1.93	22.22
Silver (2/1)	2.02	1.00	12.77

You may test your actual speed at any time by going to the following link: <http://speedtest.net>
Individual internet data services are described in additional detail in the “Internet” section of this website.

II. Impact of Specialized Services

BPU does not currently offer any other services that compete with the broadband internet service we provide.

Commercial Terms

I. Pricing

Individual internet data service pricing is listed in the “Internet” section of this website. Cable TV Service is not required to subscribe to Internet service. First month’s service is required prior to hook up, and there is no installation fee.

A modem is required for Internet service, and is provided by BPU at no additional charge. At this time, Customers may not provide their own modems, but can and must provide their own routers. Electrical surge protectors are strongly suggested.

II. Privacy Policies

BPU does not share any internet usage information with any outside agency, including copyright holders or their agents as relates to the DMCA, or for other law enforcement or national security needs; unless requested by court subpoena or other lawful means.

III. Redress Options

You may call Customer Service at 1-218-694-2300 if you have any questions or difficulties with your BPU service.