

Bresnan Communications

ONLINE PRIVACY NOTICE

Companies owned and operated by Bresnan Communications, LLC and its affiliates (collectively, "Bresnan Communications") operate cable television systems through which they provide subscribers with cable television programming services and Internet access services through our cable facilities. As a subscriber to the Bresnan OnLine Internet Service (the "Bresnan OnLine Service" or the "Service") from Bresnan Communications you are entitled under Section 631 of the Cable Communications Policy Act of 1984 (the "Cable Act") to know the limitations imposed upon cable operators in the collection and disclosure of personally identifiable subscriber information. Other federal law may also apply to some circumstances. This notice informs subscribers of our policies regarding personally identifiable information we obtain in the course of providing our services that are subject to the privacy provisions of the Cable Act.

This notice will describe:

- the type of personally identifiable information we collect;
- how we use subscriber information;
- under what conditions we may disclose subscriber information;
- the period during which we maintain subscriber information; and
- the rights of subscribers concerning such information and its disclosure.

As used in this notice "Bresnan Communications," "we," "us," "our," and similar terms refer to Bresnan Communications, LLC, the Bresnan OnLine Service and any entity controlling, controlled by or under common control with Bresnan Communications.

This law relates only to personally identifiable information. "Personally identifiable information" is information that can be used to identify or contact an individual, such as his or her name and address or telephone number. It also includes information that combines data about an individual's activities or history with information that identifies the individual. Information, such as aggregate and other anonymous data, that does not permit an individual to be identified or contacted and that does not permit information about his or her activities or history to be linked to him or her is not "personally identifiable information."

This law also applies only to information that you have furnished to us or to certain information that is transmitted over our cable facilities.

The Bresnan OnLine Internet Service allows you to interact with companies and individuals that are independent of Bresnan Communications. By using such independent services, you may enable these companies or individuals to independently learn personally identifiable information about you. The policies in this notice do not apply to personally identifiable information or other information that you provide to any of these third parties or that they collect independently of us. These third parties may have their own privacy policies, but we are not responsible or liable if they do not or if they fail to follow those policies.

COLLECTION & USE.

To provide reliable and high-quality service to you and to insure accurate and fair billing, we maintain regular business records that may contain the following types of personally identifiable information:

- your name, service address, billing address (if different), telephone numbers, social security number, credit information, driver's license number,
- subscriber correspondence,
- information on billing, payment, damage and security deposits, maintenance and repairs, how many television sets are in your home, the service options you have chosen,
- the pay-per-view movies and events you have ordered,

- your PC configuration,
- the number and location of converters, cable modems or other cable equipment installed in your home.
- If you rent your home, we may have a record of whether landlord permission was required prior to installing our cable facilities as well as your landlord's name and address.

When you use the Bresnan OnLine Internet Service, the Service equipment automatically collects information on your use of the Service including information on the choices that you make along the range of services offered, the programs and web sites you review or services you order, the time that you actually use the Service or view the programs and web sites, other information about your "electronic browsing," and the text of e-mail or other electronic communications you send or receive using any of these services. Information concerning the use of other features of the Service is also collected, such as which menus and menu screens are used most often and the time spent using them.

In delivering the Bresnan OnLine Internet Service, Bresnan Communications, its partners, affiliates and advertisers may also use cookies, and/or small bits of code called "one pixel gifs" or "clear gifs" to make cookies more effective. A cookie is a small data file that contains a unique identification number that a web site places on your hard drive. Cookies simplify and improve web navigation and personalize your web experience by allowing a web site server that hosts a site to recognize your browser when you visit certain web pages. Cookies also allow you to use shopping carts, check your billing history, set preferences, and participate in contests or save passwords. Cookies do not allow sites to access personal information that you have not already voluntarily provided. You can also refuse to use cookies by turning them off in your browser, but some web sites may not work properly if you do this. Please contact your software manufacturer for questions on how to disable your cookies.

We also maintain records of research concerning subscriber satisfaction and viewing habits, which are obtained from subscriber interviews and questionnaires. In addition, we may combine personally identifiable subscriber information, which we collect as part of our regular business records, with personally identifiable information obtained from third parties for the purpose of creating an enhanced personal database to use in marketing and other activities.

Without your written or electronic consent, we cannot collect personal information over the cable system unless it is necessary to provide the Bresnan OnLine Internet Service that we provide to you or to prevent unauthorized access to services or to subscriber data. We collect information contained in cable Internet service transmissions directed to the Bresnan OnLine Internet Service or Bresnan Communications because it is necessary to provide a service you have requested.

Our detailed business records are used (and personal information contained in them disclosed) generally to help ensure you are being properly billed for the services you receive; to send you pertinent information regarding your cable services and other products and services which we may make available from time to time; to improve the quality of the services we provide; and for all tax, legal and accounting purposes. Specifically the information in these records is used to sell, install, maintain, connect, reconnect and disconnect services; to bill and collect service-related charges; to measure subscriber satisfaction and improve marketing and programming decisions; to mail related materials; to ensure compliance with relevant law and contractual provisions; to provide you with information about our products and services or new products and services which we may make available from time to time; and to answer questions from subscribers. Information collected about cable online services, including cable Internet services, is used to understand subscriber reactions to gateways and services we offer and to evaluate the network. It helps us to customize the cable Internet services based on the interests of subscribers and to direct programming and advertising that is likely to be of interest to you. It also helps us to protect our network from unauthorized use and to track any unauthorized access to services or to subscriber data. We take all reasonable precautions to prevent unauthorized access to this information.

DISCLOSURE.

Bresnan Communications considers the information contained in its business to be confidential. Unless prior written or electronic consent is obtained, personal subscriber information maintained by us may be disclosed to a third party only if: (1) it is necessary to render or conduct a legitimate business activity related to the cable and other services we provide; (2) such disclosure is required by court order and you are notified of such order; or (3) to a governmental entity as described below.

The Cable Act requires us to inform you of the nature, frequency and purpose of any disclosure which may be made of such information, including an identification of the types of persons to whom the disclosure may be made.

In the course of providing the Bresnan OnLine Internet Service and of informing you about new products and services which we may make available from time to time, we may make our records available to our affiliate entities, employees, agents and contractors in order to install, market, provide and audit service on each occasion that access to the information is needed. We may also occasionally release the subscriber list of a particular cable system to consumer and market research organizations for the purpose of determining the reaction of our subscribers to advertising and programming choices currently available to them or which may become available in the future. Access for these purposes is routine and does not occur with any specific frequency.

Further, we make our subscriber records available each month or as needed:

- to one or more independent billing houses for billing purposes; to mailing services and content providers each month for program guide distribution;
- to content providers and outside auditors when required;
- to attorneys and accountants on a continuous basis to render service to the company;
- to potential purchasers, investors, lenders, or financial advisors in connection with a system sale or other financing;
- to franchising authorities to demonstrate compliance, whenever such concerns are raised;
- to collection services if required to collect past due bills at such time as bills are submitted for collection;
- to law enforcement when required to prevent network damage or the unauthorized reception of service;
- to governmental entities as set forth below;
- and to the United States Postal Service, when required, in connection with mailing.

In addition, when you use the Service or any Internet service, certain information relating to your use of these services may be disclosed to third parties that provide content or services. Such disclosure may include, without limitation, information on the choices that you make along the range of services offered, including the content, programs and web sites you view or services you order on the Service or on the Internet, the time that you actually use the services or view the content and web sites, and other information about your "electronic browsing".

ADDITIONAL APPLICABLE LAWS.

Bresnan Communications will disclose personally identifiable information to representatives of government or other authorized persons consistent with the requirements of any applicable laws, including, without limitation, the Electronic Communications Privacy Act and the other federal laws listed below. We will disclose such information pursuant to a warrant, court order, administrative subpoena, other legal process or voluntarily, consistent with applicable law, if we reasonably believe that an emergency involving immediate danger of death or serious injury to any person justifies disclosure of the information. If federal law requires, we will provide you with notice of any such disclosures.

ELECTRONIC COMMUNICATIONS PRIVACY ACT.

The Electronic Communications Privacy Act ("ECPA") provides that a governmental entity may require us to disclose certain information concerning your subscriber account for cable television and cable Internet service(s) without advance notice to you. Upon receipt of a Federal or State administrative, grand jury or trial subpoena, or otherwise as set forth in the ECPA Act, we are required to disclose to the government the following subscriber records:

- your name and address;
- records of your Internet sessions (including session time and duration);
- how long you have subscribed to our Service(s), including start date and the type(s) of service(s) utilized;
- your telephone number or other subscriber account identifying number(s), including any Internet or network address(es) assigned to you by our network; and
- the means and source of your payment(s), including any credit card or bank account number.

In addition, upon receipt of a Federal or State search warrant or court order, we are required to disclose to law enforcement the content of and other records relating to electronic mail messages (including attachments to electronic mail messages and records relating to your electronic mail and Internet use), without advance notice to you. Additionally, law enforcement agencies may, by Federal or State court order, and without notice to you, obtain the right to install a device that monitors the addressing and routing of your Internet and electronic mail use, but not the contents of your electronic mail.

The ECPA also allows us to voluntarily disclose certain information to law enforcement agencies and governmental entities in circumstances of immediate danger. If we reasonably believe that an emergency involving immediate danger of death or serious physical injury to any person requires disclosure of the information without delay, where permitted by law, we may voluntarily disclose to law enforcement agencies without advance notice to you, the contents of your cable Internet subscriber communications. The ECPA, under certain conditions, also allows the government, at our request, to intercept the communications of a computer trespasser, without obtaining a court order or search warrant. Finally, we may disclose to law enforcement agencies the contents of Internet subscriber communications that were inadvertently obtained and appear to pertain to the commission of a crime. These new procedures set forth in the ECPA do not apply to records revealing your selection of video programming. As before, a governmental entity may obtain records revealing your selection of video programming by court order only if it offers clear and convincing evidence that such records are material to a criminal case and if you are given the opportunity to contest the evidence.

DIGITAL MILLENNIUM COPYRIGHT ACT.

One of the purposes of the Digital Millennium Copyright Act ("DMCA"), signed into law in 1998, is to provide certainty for copyright owners and Internet service providers with respect to copyright infringement liability online. The law is applicable to all Bresnan Communications services, including the Bresnan OnLine Internet Service. In order to assist copyright holders in protecting their copyrights from online infringement, the DMCA provides for the issuance of a subpoena seeking the identification of an alleged online copyright infringer. Upon receipt of such a subpoena, an online service provider such as Bresnan Communications is required by law to expeditiously disclose the identity of the alleged infringer to the copyright owner or a person authorized to act on the copyright owner's behalf.

BRESNAN ONLINE SUBSCRIBER AGREEMENT.

You should refer to and carefully read the Bresnan OnLine Internet Service Subscriber Agreement. The Bresnan OnLine Internet Service Subscriber Agreement

contains additional important information relating to the Bresnan OnLine Internet Service, the Internet and other services to which access is provided as part of the Bresnan OnLine Internet Service.

MAILING LISTS.

Unless you object, the Cable Act allows us to disclose certain information to others, including advertisers and direct mail or telemarketers, for non-cable related purposes including selling or disclosing customer lists to commercial or charitable users thereof. Disclosure for such purpose would typically include your name and address, but would not include the extent of your viewing or use of a particular service or the nature of any transaction made over the cable system. We do not currently sell our subscriber list or otherwise disclose it to commercial or charitable users. If we choose to do so in the future, we will provide you with information about how to remove your name from such lists or post such information on the Bresnan Communications web site at bresnan.net/notices/.

THIRD PARTY SERVICE PROVIDERS.

From time to time, Bresnan Communications may engage reliable third parties to provide, license or sublicense goods or services (collectively, "Third-Party Services") to its subscribers, including customers of the Bresnan OnLine Internet Service. Third-Party Services may include, but are not limited to, the licensing of software used in connection with any of the Internet services provided by Bresnan Communications.

Such third parties may collect and generate information concerning customers or subscribers in the course of providing services to them.

Bresnan Communications will provide such third parties with subscriber information necessary to provide the Third-Party Services and may grant to such third parties the right to access and use such subscriber information for billing, support, network monitoring and planning, and to otherwise fulfill such third party's obligations to Bresnan Communications and/or the Service and their respective subscribers.

Such third parties may create and use aggregate statistical information relating to subscribers' use of cable and/or Internet services provided that no statistical information is personally identifiable to any subscriber.

Any third party providing Third-Party Services and all activities performed by any third party shall at all times be subject to all applicable laws and regulations.

RETENTION.

The Cable Act requires us to inform you concerning the period during which we will retain information. As required by the Cable Act, we destroy customer information that is no longer necessary for the purpose for which it is collected unless there is a legitimate request or order to inspect the information still outstanding or the information remains in routine records that are periodically discarded under our document retention policies.

- The information that you have provided us upon installation of service is maintained in our management information system and billing systems, and is updated as new information is added.
- Accounting and billing records are retained for ten years for tax and accounting purposes or until the relevant income tax years for which the document was created have been closed for income tax purposes and/or all appeals have been exhausted.
- Routine paper records necessary to conduct our business activities related to the Bresnan OnLine Internet Service provided to you as a customer are retained in accordance with our voluntarily adopted document retention program.
- Paper records such as work orders and records of technical maintenance and service are retained for three years. These records may remain on file even after you have terminated service.

- Subject to applicable law, records relating to involuntary disconnects are kept indefinitely by us to facilitate collection and evaluation of credit worthiness and are updated as new information is added.

CUSTOMER RIGHTS.

As described above, the Cable Act establishes your rights as a customer and the limits upon the cable operator with respect to the collection and disclosure of customer information. You have the right to inspect our records that contain information about you and to correct any error in our information. If you wish to exercise this right, please contact us at your local business office between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday (holidays excluded), and we will arrange a mutually convenient appointment. You may bring a civil action in U.S. District Court, and you may seek to recover damages, costs and attorney fees if your rights under Section 631 of the Cable Act have been violated, subject to certain immunities that have been provided to us under applicable law, including, without limitation the ECPA.

The subscriber, customer or other service agreement applicable to you may provide that, to the extent permitted by law, any claims that you have under the Cable Act will be decided in arbitration and attorneys' fees and punitive damages will not be available.

PRIVACY PROTECTION FOR CHILDREN.

Bresnan Communications joins the industry in recognizing that children, including young teens, may not be able to make informed choices about personal information requested in online environments.

Bresnan Communications does not knowingly collect personally identifiable information from children under thirteen years of age to connect and provide the Bresnan OnLine Internet Service. If, as a part of future service offerings, we decide to request personally identifiable information from children under thirteen, we will require verifiable parental consent before we collect this information, except in circumstances authorized by law and by the Children's Online Privacy Protection Act.

Bresnan Communications encourages parents and guardians to take an active role to protect the privacy and security of their children and supports the development of technologies that help parents and guardians control the collection and use of personal information from children who use online services in their households.

REVISIONS.

We reserve the right to revise this policy, or any part thereof. Any revisions will be posted on the Bresnan Communications web site at bresnan.net/notices/, and such posting will constitute notice to you. Use of our service following notice of such revisions constitutes your acceptance of the revised policy.

THE NAME, ADDRESS AND PHONE NUMBER OF YOUR LOCAL CABLE SYSTEM ARE LISTED ON THE FACE OF YOUR CURRENT MONTHLY BILL. ANY CHANGES TO SUCH INFORMATION WILL BE NOTED ON YOUR FUTURE BILLS.

BRESNAN
Communications