

# NETWORK TRANSPARENCY STATEMENT

ND Tel (“NDTC” or “Company”) 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. Information about NDTC’s other policies and practices concerning broadband are available at [www.gondtc.com](http://www.gondtc.com) (“NDTC’s Website”).

NDTC engages in network management practices that are tailored and appropriate for achieving optimization on the network considering the particular network architecture and technology of its broadband Internet access service. NDTC’s goal is to ensure that all of its customers experience a safe and secure broadband Internet environment that is fast, reliable and affordable. NDTC wants its customers to indulge in all that the Internet has to offer, whether it is social networking, streaming videos and music, to communicating through email and videoconferencing.

NDTC’s network management includes congestion- and security-protocol-management and customers generally will not be impacted by the protocols and practices that NDTC uses to manage its network.

## **A. NDTC’s Network Transparency Disclosures**

NDTC uses various tools and industry standard techniques to manage its network and deliver fast, secure and reliable Internet service. NDTC believes in full transparency and provides the following disclosures about its network management practices:

- 1. Blocking:** NDTC does not block or discriminate against lawful content.
- 2. Throttling:** NDTC does not throttle, impair or degrade lawful Internet traffic.
- 3. Affiliated Prioritization:** NDTC does not prioritize Internet traffic.
- 4. Paid Prioritization:** NDTC has never engaged in paid prioritization. We don’t prioritize Internet for consideration to benefit particular content, applications, services or devices. NDTC does not have plans to enter into paid prioritization deals to create fast lanes.
- 5. Congestion Management:** NDTC monitors the connections on its network in the aggregate on a daily basis to determine the rate of utilization. If congestion emerges on the network, NDTC will take the appropriate measures to relieve congestion.

On NDTC’s network, all customers have access to all legal services, applications and content online and, in the event of congestion, most Internet activities will be

unaffected. Some customers, however, may experience longer download or upload times, or slower surf speeds on the web if instances of congestion do occur on NDTC's network.

Customers using conduct that abuses or threatens the NDTC network or which violates the company's Acceptable Use Policy, Internet service Terms and Conditions, or the Internet Service Agreement will be asked to stop any such use immediately. A failure to respond or to cease any such conduct could result in service suspension or termination.

NDTC's network and congestion management practices are 'application-agnostic', based on current network conditions, and are not implemented on the basis of customers' online activities, protocols or applications. NDTC's network management practices do not relate to any particular customer's aggregate monthly data usage.

NDTC monitors its network on a daily basis to determine utilization on its network. NDTC also checks for abnormal traffic flows, network security breaches, malware, loss, and damage to the network. If a breach is detected or high volume users are brought to light by complaint, NDTC provides notification to the customer via email or phone. If a violation of NDTC's policies has occurred and such violation is not remedied, NDTC will seek to suspend or terminate that customer's service.

6. **Application-Specific Behavior:** Except as may be provided elsewhere herein, NDTC does not currently engage in any application-specific behaviors on its network. Customers may use any lawful applications with NDTC.
7. **Device Attachment Rules:** For best results, DSL modems, wireless modems, or other proprietary network gateways used on the NDTC broadband network should be provided by NDTC. Customers may attach devices of their choosing to their modems, including wired or wireless routers, laptops, desktop computers, video game systems, televisions, or other network-enabled electronics equipment. However, **customers** are responsible for ensuring that their equipment does not harm NDTC's network or impair the service of other customers. NDTC is not responsible for the functionality or compatibility of any equipment provided by its customers. Customers are responsible for securing their own equipment to prevent unauthorized access to NDTC's broadband network by third parties and will be held responsible for the actions of such third parties who gain unauthorized access through unsecured customer equipment.
8. **Network Security:** NDTC knows the importance of securing its network and customers from network threats and annoyances. The company promotes the security of its network and patrons by protections from such threats as spam, viruses, firewall issues, and phishing schemes. NDTC also deploys spam filters in

order to divert spam from an online customer's email inbox into a quarantine file while allowing the customer to control which emails are identified as spam. Customers may access the spam files through the email. Spam files are automatically deleted if not accessed within 30 days.

As its normal practice, NDTC does not block any protocols, content or traffic for purposes of network management, but NDTC may block or limit such traffic as spam, viruses, malware, or denial of service attacks to protect network integrity and the security of our customers.

## **B. Network Performance**

### **1. Service Descriptions**

NDTC deploys Internet access to its subscribers through hardwired broadband access (DSL or Fiber).

### **2. Network Performance**

NDTC makes every effort to support advertised speeds and will dispatch repair technicians to customer sites to perform speed tests as needed to troubleshoot and resolve speed and application performance caused by NDTC's network. NDTC measures availability, latency, and aggregate utilization on the network and strives to meet internal service level targets.

However, the bandwidth speed at which a particular distant website or other Internet resources may be downloaded, or the speed at which your customer information may be uploaded to a distant website or Internet location is affected by factors beyond NDTC's control, including the speed of the connection from a distant web server to the Internet, congestion on intermediate networks, and/or limitations on your own computer equipment, including a wireless router. In addition, your service performance may be affected by the inside wiring at your premise. Accordingly, you, the customer, must consider the capabilities of your own equipment when choosing a NDTC broadband service. Your computers and/or wireless or other networks in your homes or offices may need an upgrade in order to take full advantage of the chosen NDTC broadband plan.

For DSL, Fiber and T1 service, NDTC measures traffic every 5 min. All services are best effort.

NDTC tests each service for actual and expected access speeds at the time of network installation to demonstrate that the service is capable of supporting the advertised speed. Customers may also test their actual speeds using the speed test located at <http://speedtest.gondtc.com/> on NDTC's website and may request assistance by calling our business office at 701.662.1100 or by email at [service@ndtel.com](mailto:service@ndtel.com).

Based on the network information NDTC receives from its monitoring efforts, NDTC’s network is delivering data transmission rates advertised for the different high-speed Internet services. To be sure, NDTC has implemented a program of testing the performance of its network by using a test protocol similar to the one sanctioned by the FCC. We installed specific network performance monitoring equipment at aggregation points across our network and conducted a series of tests using this equipment. NDTC reports the results of this testing below. This result applies to both upload and download data rates, and applies for measurements made both at peak times and over a 24-hour period:

**DOWNLOAD & UPLOAD SPEEDS**

**Download Speeds**

ADVERTISED	ACTUAL SUSTAINED	PERCENTAGE DIFFERENTIAL
10 Mbps	9.9	.99%
30 Mbps	29.6	.98%
50 Mbps	48.9	.98%
100 Mbps	97.4	.97%
200 Mbps	197	.99%
1000 Mbps	945	.95%

**Upload Speeds**

ADVERTISED	ACTUAL SUSTAINED	PERCENTAGE DIFFERENTIAL
10 Mbps	9.8	.98%
30 Mbps	28.7	.96%
50 Mbps	45.8	.92%
100 Mbps	89.1	.89%
200 Mbps	196	.98%
1000 Mbps	937	.94%

**3. Impact of Non-BIAS Data Services**

The FCC has defined Non-Broadband Internet Access Services (Non-BIAS) to include services offered by broadband providers that share capacity with Broadband Internet Access Services (BIAS) (previously known as “Specialized Services”) also offered by the provider over the last-mile facilities. At this time, NDTC is not offering any non-BIAS data services.

### **C. Commercial Terms**

Pricing and additional service information may be found [here](#).

In addition to this Network Transparency Statement, patrons may also find links to the following on the NDTC Website:

- [Privacy Policy](#)
- [Acceptable Use Policy](#)

For questions, complaints or requests for additional information, please contact NDTC at:

Business Office at **701.662.1100**

Email at [service@gondtc.com](mailto:service@gondtc.com)