

BEE CREEK COMMUNICATIONS INC. PRIVACY POLICY AND YOUR CALIFORNIA PRIVACY RIGHTS

Effective Date: November 1,2021

Bee Creek Communications Inc. (“Bee Creek,” “us,” “we,” or “our”) values the privacy and security of customer Personal Information. This Privacy Policy describes the types of customer Personal Information Bee Creek or our Operational Service Providers collect, use, disclose, retain, secure and dispose. This Privacy Policy applies to visitors and users of Bee Creek’s website (“Site”), mobile applications (“Apps”), and potential customers, current and former residential and commercial/business Customers of Bee Creek’s high speed internet access services (individually, a “Service” and collectively, “Services”). For the purposes of this Privacy Policy, all such visitors, users, prospective residential and commercial/business customers, current and former residential and commercial/business customers are collectively, “Customers” “you,” or “your.” Any other capitalized terms not defined herein shall have the same meaning as defined in Bee Creek’s Service Agreement/Terms of Service (“Service Agreement”).

By using Bee Creek’s Site, Apps and Services, Customers consent to the data practices described in this Privacy Policy regarding the collection, use, disclosure, retention and disposal of Personal Information. Bee Creek’s Site, Apps and Services are designed and targeted to United States audiences and are governed by and operated in accordance with the laws of the U.S. If Customer is not a U.S. citizen or does not reside in the U.S., Customer voluntarily consents to the collection, transfer, use, disclosure and retention of Customer Personal Information in the U.S. Customer also agrees to waive any claims that may arise under Customer’s own national laws.

1. YOUR CALIFORNIA PRIVACY RIGHTS UNDER THE SHINE THE LIGHT ACT

Generally, California residents are entitled by law to ask Bee Creek for a notice identifying the categories of Personal Information that Bee Creek shares with third parties for their marketing purposes the preceding year and provide contact information for such third parties unless Bee Creek meets certain exceptions in the law. This Privacy Policy and Site meet those exceptions. Additionally, Bee Creek does not have Affiliates and does not share Customer Information to third parties for their own marketing purposes. Therefore, a Customer residing in California with an established business relationship with Bee Creek, does not need information about Bee Creek’s opt-out and opt-in policies of sharing Customer Personal Information with other companies for their own marketing purposes. If you have questions regarding our policy, Customers residing in California must send a written request via email or postal mail following the instructions below. **Bee Creek will not accept requests via the telephone or facsimile or respond to requests that are not labeled or sent properly, or do not have complete information.**

- For all requests, include Customer’s full name, street address, city, state and zip code.

- In an email request, Customer must state “**Re: Your California Privacy Rights**” in the subject line and send Customer email to admin@beecreek.net
- In a postal request, Customer must send a letter or post card to: P.O. Box 1757, Fredericksburg, Texas 78624
Attention: Your California Privacy Rights

2. GENERAL INFORMATION

When Customer uses Bee Creek’s Site, Services or Apps, the Personal Information sent and received will be transmitted using wireless, fiber, coaxial cable and/or satellite technology, and could be subject to interception by unauthorized third parties. While it is Bee Creek’s objective to take reasonable security measures to reduce the risk that unauthorized third parties will intercept any Personal Information, Bee Creek cannot and does not make any guarantee that transmissions via its Site, Services and Apps are 100% secure or error-free.

Bee Creek does not knowingly collect, solicit or use Personal Information from anyone under the age of 16. If Customer is under age 16, please do not attempt to register for the Site, Services or Apps or voluntarily submit any Personal Information about yourself to Bee Creek. If Bee Creek learns that Personal Information from a child under age 16 has been collected, Bee Creek will delete that information as quickly as possible to the extent technically feasible. If Customer believes that its child under age 16 may have provided Personal Information to us, please contact Bee Creek at admin@beecreek.net

3. WHAT TYPES OF INFORMATION DO WE COLLECT AND HOW DO WE USE THIS INFORMATION?

Generally, Personal Information is information Customer provides to Bee Creek directly or passively through Customer’s use of the Site, Services and/or Apps, our social media platforms, via telephone or in person that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. For the purposes of this Privacy Policy, we also define Personal Information to include such information related to our commercial/business Customers and their end users.

The following are the different ways and the reasons Bee Creek collects Personal Information:

- **Registration process, billing, and administration:** Bee Creek collects Customer name, email address, phone number (wired or wireless), billing address, service address, and the nature of any of Customer devices or other personal property making use of the Service. Bee Creek will retain this Personal Information as long as Customer’s Service is active and for five (5) years after the Service expires or is terminated to comply with various business, legal and/or regulatory requirements.

Bee Creek does not store Customer billing information (such as credit card account number or other financial account information). Billing information is collected and processed by an independent third-party payment processor. Billing information is not visible with Bee Creek after entry. Customers understand, acknowledge and agree that they are governed by the payment processor's privacy policy as well as Bee Creek's.

- **Social Media Platforms:** Bee Creek has a presence on social media platforms (Facebook, Twitter, LinkedIn, etc.) and Customers voluntarily view, sign up to follow, or otherwise engage with our social media at their own level of interest. Customers on our social media platforms are governed by the privacy policy of the specific platform. Bee Creek may obtain, transport or merge Personal Information posted publicly on social media platforms, however we will not share any such Personal Information with any third party, except as otherwise noted in this Privacy Policy. Occasionally a Customer may enter their Bee Creek account identifying information on social media, sometimes to alert or inquire about service questions or service interruptions. In these cases Bee Creek will engage with the Customer using direct messages or by directing them to our Site, support and Customer Experience department. Bee Creek is not responsible for Personal Information that is publicly disclosed on social media platforms.

Some forms of information as described below will be classified as Personal Information if required by applicable law or when such information is directly associated with or reasonably linked to a specific person, computer or device, or is combined with other forms of Personal Information. Please see below for details.


- **Website Information, Use of Cookies and other Similar Tracking Technology:** When Customers visit Bee Creek's Site, Bee Creek will passively collect information on server logs from Customer's browser or device, which may include Customer IP address or other unique device identifiers, "cookie" or other tracking information, the type of browser and/or device you're using to access the Service, and the page or feature Customer requested. Bee Creek uses this information to gather statistics about usage and effectiveness of our webpages, analyze our performance, personalize your experience, and tailor our interactions with you. We do so via the use of various technologies, including cookies and web beacons.
 - Cookies are text files placed on your computer to collect standard internet log information and visitor behavior information. This information is used to personalize Customer usage of the Site and to compile statistical reports on Site activity. For further information about cookies, visit www.aboutcookies.org or www.allaboutcookies.org.
 - Web beacons, also known as web bugs, pixel tags or clear GIFs, are clear graphic images (typically one pixel in size) that are delivered through a web browser or HTML e-mail. The web beacon informs Bee Creek when a

Customer visits a particular web page or opens and views a particular e-mail. Bee Creek, or our Operational Service Providers, may include web beacons in marketing e-mail messages or our newsletters to determine whether messages have been opened and links contained within have been clicked on. Operational Service Providers are trusted third parties that support Bee Creek's Services with technology, equipment and/or internal operational services, such as billing and regulatory deployment reporting.

- Customers can change the preferences on a browser or device to prevent or limit the browser or device's acceptance of cookies, web beacons or other similar technology, but this may prevent Customer from taking advantage of some of the features on the Bee Creek Site, or accessing certain functions and conveniences. Additionally, Customers may not opt-out of the use of cookies, other Personal Information or non-Personal Information for Bee Creek's internal analytical purposes.

Technology is improving every day and to improve the operations and functions of Bee Creek's Site, Services, and Apps, thus Customer understands, acknowledges and agrees that Bee Creek may introduce new technologies and monitoring techniques without advance notice or consent from Customer. Bee Creek may also use third party Operational Service Providers to conduct such internal analyses.

- **Network Information Specific for Internet Access Services:** Bee Creek also collects Network Information to deliver their high-speed internet access service, which is information about Customers' access to, and use of, the Bee Creek Network. Network Information may or may not be classified as Personal Information. Generally, Bee Creek will:
 - Collect information when and how Customer is using the Bee Creek Network, such as monitoring traffic patterns regarding websites visited, amount of data being sent or received, or other activity.
 - Collect information about the performance of the Bee Creek Equipment installed on Customer property or premises, and its interaction with the rest of the Bee Creek Network.
 - Collect information regarding the various devices Customer is using to access the Bee Creek Network.
 - Monitor or review the content of the data Customer is transmitting and receiving.
 - Bee Creek will not monitor the content of a Customer's websites viewed or email communications as part of Bee Creek's daily network management but will do so occasionally to protect the Bee Creek

Network from threats or viruses, and in the event there is suspected fraud, unlawful activity, perceived or actual violation of the Bee Creek acceptable use policies in its Service Agreement  upon a valid request from law enforcement.

Bee Creek retains this Network Information for no longer than thirty (30) days, unless otherwise required by law or for legal or regulatory purposes. Bee Creek may also aggregate Network Information from multiple Customers and will share such aggregated information about the overall performance of our Site, Services, Apps and the Bee Creek Network with third parties such as our Operational Service Providers and state and federal regulatory agencies to report on Network performance. Aggregated information does not identify a specific individual, computer or device and therefore, is not classified as Personal Information.

Bee Creek reserves the right to, and may, monitor, access, review and preserve any Network Information and/or content in the following situations:

- In response to an inquiry from Customer or an authorized user on Customer's account regarding use of the Services or problems Customer is experiencing using the Services.
- When Bee Creek has reason to believe Customer is using the Services in violation of the Service Agreements or any applicable law.
- When Bee Creek has reason to believe Customer use of the Service is negatively affecting other Customers.
- When Bee Creek is required by law or legal process to do so, or when Bee Creek has a good faith belief that Bee Creek is required by law or legal process to do so.

4. IS CUSTOMER PERSONAL INFORMATION USED FOR MARKETING AND ADVERTISING PURPOSES?

Bee Creek will not disclose your Personal Information to third parties for their own marketing or advertising purposes. Bee Creek will use Customer's email address, postal address, or telephone number (for voice, texts, automated and pre-recorded/artificial voice calls) and information about a Customer's current Services to send marketing and advertising messages regarding our Services and Site that will keep Customers informed about related products and services that will best meet a Customer's future needs. This is called "First Party Advertising," which is advertising or marketing that is customized or personalized based on a history of Customer's use of our Site or Services.

First Party Advertising is based solely on a combination of information Bee Creek collects from Customer – not from Customer's visits to other websites across the Internet. We may also serve "Contextual Advertising," which is advertising based on the subject matter or

the content of a specific website page visited by a Customer. Customer may opt-out of First Party Advertising but not Contextual Advertising. No Personal Information is used to deliver Contextual Advertising; it automatically will appear based on the context of the content or webpage Customer is viewing. And Customer will continue to receive general advertising if Customer opts-out of First Party Advertising, it will not be customized or personalized for Customer. (Please see Section 7 below for Customer opt-out instructions.)

Bee Creek does not provide third party “Network Advertising,” which is advertising based on Customer’s overall Internet usage across different third party websites or online services. Multiple third party websites and online services are involved in this tailored or personalized advertising process, in essence a “network” of advertising providers. Because Bee Creek does not provide network ads, Bee Creek does not recognize the “Do Not Track” settings on various internet browsers. Bee Creek does not engage or allow third parties to track you across the Internet and across time for advertising purposes.

5 LINKS TO THIRD PARTY WEBSITES AND SERVICES

The Bee Creek Site and/or our Facebook Pages (or other social media platforms) may contain a variety of content and functionality and may provide links to other third party websites or online services. Despite such links, this Privacy Policy applies only to Bee Creek. The presence of a link does not constitute or imply Bee Creek’s endorsement, recommendation, or sponsorship of the content, goods, services, business or privacy practices on such websites or online services. Bee Creek encourages Customers to be aware and informed when Customers leave Bee Creek’s Site and Bee Creek’s Facebook Pages, or any other social media platforms. If Customer clicks on a link to a third party website or service, such third party may also transmit cookies to Customer or use web beacons. This Privacy Policy does not cover the use of cookies or other such tracking technology by any third parties, and Bee Creek is not responsible for their privacy policies and practices.

6. DO WE DISCLOSE CUSTOMER PERSONAL INFORMATION TO THIRD PARTIES?

Customer’s Personal Information will only be disclosed to third parties and Operational Service Providers) as listed in this Privacy Policy, if Bee Creek has received your consent at the time Bee Creek collects your Personal Information or prior to the disclosure of any Personal Information. Bee Creek reserves the right to fully use, disclose and process any non-Personal Information collected from Customer in any manner as well as any information Customer makes public via the Site, App, Services or social media platforms.

- **To Our Operational Service Providers:** Bee Creek contracts with third parties to perform tasks or services on Bee Creek’s behalf and need to share or have access to Customer Personal Information to provide equipment, products or services to Customers on Bee Creek’s behalf. For example, Bee Creek may use a payment processing company to receive and process Customer’s ACH or credit card transactions for Bee Creek, or Bee Creek may contract with third parties to assist Bee Creek in optimizing the Bee Creek Network. Unless Bee Creek tells Customer

differently, Bee Creek does not grant its Operational Service Providers any right to use the Personal Information Bee Creek shares with them beyond what is necessary to assist Bee Creek.

- **For Business Transfers/Restructuring:** Bee Creek may choose to purchase or sell assets, or go through some other change of control, including restructuring, bankruptcy, reorganization or other financing arrangements. Customer Personal Information is typically one of the business assets that would be disclosed and transferred to or acquired by a third party for such activity.
- **For Protection of Bee Creek and Our Employees, Operational Service Providers, Users and Customers and Public Safety:** Bee Creek reserves the right to access, read, preserve, and disclose any Personal Information if Bee Creek believes doing so will: 1) implement and/or enforce our Service Agreement, Privacy Policy, or any legal document; protect the Bee Creek Network, Site(s), and other assets; and 2) protect the interests, rights, property, and/or safety of Bee Creek and our employees and officers/directors, Operational Service Providers, Customers, agents, representatives, third party licensors or suppliers, or the general public.
- **When Required by Law or in Response to Legal Process:** Bee Creek reserves the right to access, read, preserve, and disclose any Personal Information when Bee Creek is required by law or legal process to do so, or if Bee Creek has a good faith belief that Bee Creek is required by law or legal process to do so.

7. HOW DO WE PROTECT CUSTOMER PERSONAL INFORMATION?

Bee Creek endeavors to protect the privacy of Customer's account and other Personal Information using reasonable administrative, technical and physical security measures. However, Bee Creek cannot and do not guarantee complete security. Unauthorized entry or use, hardware or software failure, and other factors, may compromise the security of Personal Information at any time.

Additionally, if Customer contacts Bee Creek via the Site, telephone or in person, Bee Creek will ask Customer for verification of Customer's identification and account. Customers seeking access to Personal Information over the telephone must first provide Bee Creek with a password that was assigned or created without the use of any readily available biographical information. If Customer is unable to provide the correct password, Bee Creek may still disclose Personal Information, but must provide the information only by sending it to Customer's physical address on file or by calling Customer on the telephone number on file. Bee Creek may discuss Personal Information with a Customer without a password on a Customer-initiated phone call, but only if Customer discloses call detail information unprompted and without Bee Creek Networks' assistance. Customers may access Personal Information in-person at a Bee Creek office, however, Customers are required to provide a valid photo ID before Bee Creek may disclose Personal Information.

Bee Creek will not send an email or text, nor should Customer respond to any email or text communications asking for any sensitive or confidential Personal Information, such as social security number, bank account or credit card account number, or a driver's license number. If Customer receives an email or text requesting any such information from Bee Creek or someone that claims they are with Bee Creek please contact our Privacy Administrator immediately: admin@beecreek.net. For Bee Creek's IT Support Services as detailed in our Services Agreement, the code that allows Bee Creek to access Customer's computer desktop to help you resolve technical problems is limited only for that specific session. Bee Creek does not access Customer's Computer without Customer's knowledge, affirmative consent and involvement.

8. WHAT DISCLOSURE AND OPT-OUT/OPT-IN CHOICES DO CUSTOMERS HAVE?

Customers can choose not to disclose any Personal Information to Bee Creek; however, certain Personal Information is necessary for Bee Creek to provide, maintain and bill for the Services to Customer. Here are additional choices:

- Customer may opt out of sharing Personal Information only for Bee Creek's marketing or advertising purposes, but not for business or operational purposes.
- Customer may opt out of email marketing and advertising from Bee Creek using the "Unsubscribe" mechanism in each email.
- Before Bee Creek sends Customer a text for any reason, or sends Customer a pre-recorded or artificial voice call that contains advertising or marketing information, Bee Creek will secure Customer's prior written express consent, which can be given via a voice recording, email, text message, postal mail, or telephone key press.
 - Customer understands, acknowledges and agrees that such advertising or marketing texts and pre-recorded/artificial voice calls may be sent using an autodialer and are not conditioned on Customer's purchase of the Services.
 - Customer may opt out of receiving text messages any time by replying "STOP" or "UNSUBSCRIBE" to the text message.
- Non-telemarketing pre-recorded/artificial voice calls do not require a Customer's prior express consent in writing, unless they are sent to a wireless device. Customers may opt out of receiving pre-recorded/artificial voice calls by the opt-out instructions in the call. Customers can also request to be added to Bee Creek's company-specific Do Not Call list to opt-out of advertising and marketing calls or texts of all types. However, Customer will continue to receive calls related to debt-collection and Customer's current Services.
- Customer may also opt-out of First Party Advertising, but not Contextual Advertising.

- Customer may not opt out of Bee Creek’s use of cookies or other similar technology, or use of Customer’s Personal Information and non-Personal Information for Bee Creek’s internal analytics used to monitor activity on Bee Creek’s website, measure Bee Creek’s Service performance, or to operate and protect the Bee Creek Network.

Customers must contact Bee Creek via telephone, email or via our Site to opt-out of allowable categories listed above and follow our procedures for such requests as provided for [HERE](#). Please tell us specifically what category(s) you wish to opt-out of.

9. WHAT PERSONAL INFORMATION CAN CUSTOMERS ACCESS, MODIFY AND/OR DELETE?

Generally, Customer may access the following Personal Information in Customer’s account:

- Full name
- Username and password
- Email address
- Telephone number; and
- Billing and Service address
- Account and billing information

By contacting Bee Creek at admin@beecreek.net, or through any online access portal and/or via telephone, Bee Creek may enable Customers to view, access and modify Customer account settings, and in some cases, edit or delete the Personal Information listed above. Customers must follow our procedures for such requests as provided for [HERE](#). Bee Creek will retain historic email, billing and/or Service addresses for security and verification purposes and Customers may not delete such information even after the subscription expires or terminates.

Existing Customers may not delete any Personal Information because such information is necessary to provide and bill for the Services; Customers may only update or modify the following Personal Information: Full name, Username and password, email address, telephone number; and billing and service address.

Bee Creek may use any aggregated data derived from Customer’s Personal Information but not in a manner that would identify Customer personally. Bee Creek may also maintain Personal Information regarding Customer and Customer’s use of the Service after Customer is no longer a Bee Creek customer as required by Bee Creek’s business practices, by law, and/or tax reporting purposes. The information Customer can view, update, and delete may also change if required by law. If Customer has any questions about viewing or updating information Bee Creek has on file about Customer, please contact Bee Creek at admin@beecreek.net

10. WILL THIS PRIVACY POLICY EVER CHANGE?

Yes, Bee Creek is constantly working to improve the Service, and Bee Creek will need to update this Privacy Policy from time to time as Bee Creek's business practices change and service offerings increase, and/or there are changes in local, state or federal laws. Additionally, Bee Creek will also make stylistic, organizational and/or grammatical changes to present Bee Creek privacy practices in a user friendly, easy to read manner. Bee Creek will alert Customers to any such changes by placing a notice on Bee Creek's Site and App with the effective date of the revised Privacy Policy, and/or by sending Customers an email, or by some other means to the extent required by law. Please note that if Customers have not provided Bee Creek with Customer's email address or Customer has not updated Customer contact information, those legal notices will still govern Customer use of the Service, and Customer is still responsible for reading and understanding all notices posted on Bee Creek's Site. Customer's continued use of the Services, Apps or Site after notice of any changes have been provided will indicate Customer's acceptance of such changes, except where further steps are required by applicable law.

Use of Customer Personal Information is primarily governed by the Privacy Policy in effect at the time Customer subscribed to the Service or visited the Bee Creek Site, subject to any amendments Bee Creek will make from time to time. If Bee Creek elects to collect, use or to disclose Customer Personal Information that is materially different than stated in the Privacy Policy in effect at the time Customer subscribed to the Service (or later amended), or when Customer visited the Bee Creek Site, Bee Creek will provide Customer with an opportunity to consent to such use or disclosure. Depending on the circumstances, that consent may include an opt-out.

11. WHAT IF YOU HAVE QUESTIONS OR COMMENTS ABOUT THIS PRIVACY POLICY?

If you have any questions or concerns regarding Bee Creek's privacy practices and policies, please contact Bee Creek at admin@beecreek.net

© Copyright 2021, Bee Creek Communications Inc.- All Rights Reserved.