**Nakoda Telecom Fair Access Policy**

To ensure fair Internet access for all Stoney Nakoda Telecom Inc. (Nakoda Telecom) subscribers, Nakoda Telecom maintains a Fair Access Policy. This policy establishes an equitable balance in Internet access for all Nakoda Telecom subscribers

Prohibited Activities

Criminal Offences While using the Communication Services, the Customer is prohibited from, in NAKODA TELECOM's sole judgment, posting, uploading, reproducing, distributing or otherwise transmitting information or materials where such activity constitutes a criminal offence or from otherwise engaging in or assisting others to engage in any criminal offence including, but not limited to, those offences listed below:

- Communicating hatred

- Pyramid selling

- Unauthorized use of a computer

- Mischief in relation to data

- Fraud

- Defamatory libel

- Obscenity

- Child pornography

- Harassment/stalking

- Uttering threats

Civil Offences and Violations of the Rights of Others

While using the Communication Services, the Customer is prohibited from, in NAKODA TELECOM's sole judgment, posting, uploading, reproducing, distributing or otherwise transmitting information or materials where such activity gives rise to civil liability or from otherwise violating the rights or assisting others to violate the rights of NAKODA TELECOM or any third party, including, but not limited to, the violations listed below:

- Copyright infringement

- Trade-mark infringement

- Patent infringement

- Misappropriation of trade secrets

- Defamation

Other Prohibited Activities

# Nakoda Telecom Fair Access Policy

While using the Communication Services, the Customer is prohibited from engaging in or assisting others to engage in any activity that, in NAKODA TELECOM's sole judgment, (1) violates applicable policies, rules or guidelines of NAKODA TELECOM or other on-line service providers, (2) disrupts or threatens the integrity, operation or security of any Communication Service or any computer or Internet system, (3) elicits complaints from other Internet users or Internet service providers, (4) is contrary to any law or regulation,

or (5) is otherwise objectionable. Examples of such prohibited activity include, but are not limited to:

• Scanning or probing another computer system

• Obstructing or bypassing computer identification or security procedures

• Engaging in unauthorized computer or network trespass

• Maintaining a relay service open to the general public

• Engaging in denial of service attacks

• Posting, uploading, reproducing, distributing or otherwise transmitting any data, information or software that constitutes a virus, trojan horse, worm or other harmful or disruptive component

• Exporting equipment, software, or data outside of Canada or the U.S. in contravention of applicable export control legislation

• Falsifying address information, modifying message headers to conceal the Customer's identity or impersonating others, for the purpose of circumventing this Acceptable Use Policy

• Posting, uploading, reproducing, distributing, otherwise transmitting, or collecting responses from unauthorized or unsolicited duplicative e-mail messages, junk or bulk e-mail messages, chain letters, newsgroup postings or other "spam" (NAKODA TELECOM reserves the right to determine, in its sole discretion, whether a message constitutes "spam")

• Engaging in any conduct that directly or indirectly encourages, facilitates, promotes, relies upon or permits the foregoing prohibited activities including, without limitation, failing to implement reasonable technical or administrative measures to prevent spam, viruses and worms

Service Limitations

The Services offer a variety of access speeds and service plans. All services are subject to the availability of suitable equipment and facilities and consequently all services are not available at all locations. Also, to ensure fair network access to all users, NAKODA TELECOM may manage network resources using methods including, but not limited to:

• allocation of bandwidth, which may limit the availability or speed of service;

• filtering for spam and malicious content, which may occasionally result in unintended blocking of inoffensive content; and

• restricting the network access available to specific transmission protocols.

At Nakoda Telecom, our goal is to give each of our customers the fastest service possible at the lowest possible price.

We are always striving to develop programs and policies that help make that possible. Our Fair Access Policy is designed to impact the fewest customers while helping ensure the best speeds for the vast majority of our customers.