

## Syndeo Networks Grant Funded Middle Mile Network Interconnect Policy

The Counties of Ogle, Lee and Dekalb partnered with Syndeo Networks to develop and deploy a middle mile fiber network to increase broadband availability in the counties. Syndeo's federally funded NTIA Middle Mile Grant Program (MMG) network meets and complies with the nondiscrimination and network interconnection policies established by the NTIA. The following interconnect policy only applies to the federally funded MMG Network.

### Open Access, Nondiscrimination and Interconnection

Syndeo Networks MMG Network operates on an open access, nondiscriminatory basis. Syndeo Networks shall offer wholesale bandwidth to all qualified service providers within the MMG Network service area at affordable rates to reduce barriers to entry, encourage competition, improve service, increase customer choice, and reduce costs to the end user.

A. Open Access: Syndeo Networks shall negotiate in good faith with all potential service providers, including public, private, non-profit and other parties, making a bona fide request for interconnection or wholesale services.

i. Service Level Agreement (SLA). Syndeo Networks shall adopt a standard SLA to ensure competitively neutral terms for all service providers, including service availability level, service credits, and network maintenance and outages. Service provider specific SLA provisions are allowed in the case of Aggregated Internet Bandwidth and any negotiated terms shall be made available to current and future service providers. Subject to approval of a Syndeo Networks Service Provider application, service providers may sign a Service Level Agreement (SLA) with Syndeo Networks and interconnect with the network.

B. Nondiscrimination: Syndeo Networks shall not favor any lawful Internet applications or content over others.

i. Content Filtering and Prioritization. Syndeo Networks provides an environment of bandwidth abundance where infrastructure limitations do not impede upon the business or operational model. End user traffic on Syndeo Networks shall be delivered on a best effort basis and shall not be given preference based on source or destination, application or content. Furthermore, bandwidth usage shall not be restricted by rate limiting or policing, and over-the-top applications shall not be filtered or blocked.

ii. Internet Policy Statement. Syndeo Networks and its network operations partners shall implement, monitor, and enforce the principles set forth in the Federal Communications Commission (FCC) Internet Policy Statement (FCC 05-151, adopted August 5, 2005) or any subsequent ruling or statement:

- Consumers are entitled to access the lawful Internet of their choice;
- Consumers are entitled to run applications and services of their choice, subject to the needs of law enforcement;

- Consumers are entitled to connect their choice of legal devices that do not harm the network; and
- Consumers are entitled to competition among network providers, application and service providers, and content providers.

iii. Failure to Meet Obligations. Those who believe Syndeo Networks has failed to meet its nondiscrimination obligations should first seek action at the FCC of any FCC rules implicated in the dispute. If the FCC chooses to take no action, those seeking recourse may notify the National Telecommunications Information Administration (NTIA) in writing about Syndeo Networks' alleged failure to adhere to commitments of the award.

C. Interconnection: Syndeo Networks shall work with approved service providers to enable interconnection to Syndeo Networks facilities. Interconnection may occur at permissible or technically feasible points along the network including splice points and mid-span, based upon a review of each request and provided that such access does not exceed current or anticipated capacity limitations. Fiber access includes direct connections such as loops and laterals. Services include transport services such as backhaul and Internet access.

i. Access to Information. Syndeo Networks shall make available the locations of routes, dark fiber, points of interconnection and information about capacity to support interconnection within ten (10) business days of a request from a potential service provider. Service providers may be required to sign a non-disclosure agreement (NDA) prior to receiving location or capacity information from Syndeo Networks.

ii. Colocation. Syndeo Networks allows collocation by Syndeo Networks approved service providers.

iii. Rates and Terms. Rates and terms for interconnection shall be reasonable and nondiscriminatory. If a party requests to interconnect with Syndeo Networks where no point of interconnection currently exists, the requesting party is expected to bear any reasonable cost to improve the facilities to allow for interconnection. If a party requests to interconnect or collocate with Syndeo Networks where facilities for interconnection already exist, Syndeo Networks shall allow interconnection or collocation at reasonable and nondiscriminatory rates.

iv. Dispute Resolution. Syndeo Networks may satisfy its requirement for interconnection by negotiating in good faith with all parties making a bona fide request. However, parties that cannot reach agreement with Syndeo Networks for interconnection through approval of a Syndeo Networks Service Provider Application and SLA may voluntarily seek an interpretation by the FCC of any FCC rules implicated in the dispute. If an agreement cannot be reached within 90 days, the party requesting interconnection may notify in writing the National Telecommunications Information Administration (NTIA) of the failure to reach satisfactory terms with Syndeo Networks. The 90-day limit is to encourage the parties to resolve differences through negotiation.

D. Transparency: Syndeo Networks shall display its network management policies in a prominent location on its web page and provide notice to customers of changes to its policies as

well as describe any business practices or technical mechanisms it employs other than standard best efforts of Internet delivery to allocate capacity; differentiate among applications, providers or sources; limit usage; and manage illegal or harmful content.

E. Limitations: Syndeo Networks's Open Access, Interconnection and Nondiscrimination policies are subject to the needs of law enforcement and reasonable network management. Thus, Syndeo Networks may employ generally accepted technical measures to provide acceptable service levels to all customers, such as caching and application-neutral bandwidth allocation, as well as measures to address spam, denial of service attacks, illegal content, and other harmful activities. In addition to providing the required connection to the Internet, Syndeo Networks may offer managed services, such as telemedicine, public safety communications, and distance learning, which use private network connections for enhanced quality of service, rather than traversing the public Internet.