

# UNASAT Communications, LLC.

## Fair Access Policy (FAP)

### UNABAND Master Services Agreement Addendum

#### EFFECTIVE July 1, 2006

THIS POLICY STATES IMPORTANT REQUIREMENTS REGARDING USE OF UNASAT'S UNABAND SATELLITE BROADBAND SERVICE, AND YOUR RELATIONSHIP WITH UNASAT. YOU SHOULD READ THIS POLICY CAREFULLY, AS IT CONTAINS IMPORTANT INFORMATION REGARDING YOUR RIGHTS AND OURS.

THIS POLICY ELABORATES RESTRICTIONS ON EXCESSIVE NETWORK USAGE SET OUT IN WHOLESALE AND END USER AGREEMENTS FOR UNASAT'S UNABAND SATELLITE BROADBAND SERVICE.

At UNASAT, 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 (or "FAP") is designed to impact the fewest customers while helping ensure the best speeds for the vast majority of our customers.

UNASAT estimates that a small percent of customers, account for a disproportionate share of data usage on the UNASAT network. To ensure that all UNASAT customers have equitable access to the UNASAT network, UNASAT has implemented this FAP. UNASAT sets usage thresholds on the amount of data each end user can upload and download within a Daily time periods. If an end user exceeds these thresholds, UNASAT will temporarily limit the speed at which the end user can send and receive data over the UNASAT network. The end user will still be able to use the UNASAT service but upload and download speeds will be slower. In cases of extreme and continued violation of the FAP limitations, service may be suspended with out notice. UNASAT may also use other traffic management and prioritization tools to help ensure equitable access to the UNASAT network for all customers.

Based on an analysis of typical customers, we have set a rolling 24 hour Daily period limit, on data usage per customer modem based on the service plan type called a Usage Threshold. This Daily period is renewed every day at 12:00 midnight CST. As shown in the table below, this threshold varies based on the service plan selected. For each service plan, the Usage Thresholds are significantly above the amount of data that is used by a typical customer. We continuously measure each modems upload and download data usage ("Actual Usage") to determine if total Actual Usage, as aggregated over the 24 hour daily period ("Usage Total"), exceeds the Usage Threshold for the service plan type selected.

If at any time an end user's modem Usage Total exceeds either the Upload or Download Usage Threshold, we will reduce that end user's access speeds, typically to 128 kbps in the downstream (from the Internet to end user) and 28 kbps in the upstream (from end user to the Internet). The end user's access speeds will be restored to the original speed levels by the next calendar day at 12:00 midnight CST.

An end user is likely to avoid any limitations imposed by the FAP if use is typical of the majority of Internet users and consists primarily of Web surfing and a reasonable amount of downloading. The table below shows the daily Usage Thresholds for each plan. These limits specify the amount of data that an end user can upload and download per modem before UNASAT will reduce access speeds under the FAP. Please note that an end user's Usage Total is far more likely to exceed the Usage Thresholds below if the end user uses peer-to-peer file sharing programs, a webcam, or downloads full length movies, large quantities of music files, gaming, full software applications or similar high-bandwidth activities.

UNASAT	UNABAND Daily FAP Usage Thresholds							
Service Plan Type	SOHO	Business	Enterprise 60	Enterprise 30	Enterprise 20	Enterprise 10	Enterprise 5	Enterprise DED
<b>Modem Upload Threshold (MB) *</b>	100	200	300	600	800	1,000	2,000	***
<b>Modem Download Threshold (MB)**</b>	700	1,000	2,500	5,000	7,500	10,000	20,000	20,000

\* Modem Upload Threshold is the volume of data that can be uploaded during a 24 hour Daily period before the FAP may restrict the user's speeds.

\*\* Modem Download Threshold is the volume of data that can be downloaded during a 24 hour Daily period before the FAP may restrict the user's speeds.

\*\*\* There is no Modem Upload Threshold for the Enterprise DED Service Plan.

UNASAT MAY REVISE THIS FAIR ACCESS POLICY FROM TIME TO TIME WITHOUT NOTICE BY POSTING A NEW VERSION OF THIS DOCUMENT ON UNASAT.COM, UNASAT.NET OR ANY SUCCESSOR URL(S). ALL REVISED COPIES OF THE POLICY ARE EFFECTIVE IMMEDIATELY UPON POSTING. ACCORDINGLY, CUSTOMERS AND USERS OF UNASAT'S SATELLITE SPEED INTERNET SERVICE SHOULD REGULARLY VISIT THESE WEB SITES. QUESTIONS REGARDING THIS FAP AND COMPLAINTS OF VIOLATIONS OF IT BY UNASAT CUSTOMERS AND USERS CAN BE DIRECTED TO UNASAT VIA "HELP" EMAIL OBTAINABLE AT UNASAT.COM.

The undersigned has received and reviewed the above UNASAT Fair Access Policy (“FAP”) and agrees to inform each prospective customer of the FAP’s then-current terms before completing a sale to the prospective customer. The undersigned agrees to include notice of the terms of the FAP and its location on UNASAT’s website in the undersigned’s end user agreements. The undersigned further agrees to notify each of its end user customers of the terms of the FAP by emailing a copy of the FAP to each end user customer’s last known email address within 10 days after the date shown below.

The undersigned acknowledges that the above agreements are part of the terms of the Master Service Agreement between the undersigned and UNASAT, and that failure to comply with these agreements is a breach of that Master Service Agreement.

Dated \_\_\_\_\_, 2006

\_\_\_\_\_  
(wholesaler’s business name)

By: \_\_\_\_\_

\_\_\_\_\_  
(name and title)