

FAIR ACCESS POLICY

The **SKYWEB**, goal is to provide each of our customers with the fastest Internet Access service possible, within the constraints that sometimes exist with wireless service, at the lowest possible price. In an effort to provide Internet Access to areas that may have limited methods of such access, Our Fair Access Policy (“FAP”) is designed to impact the fewest customers while helping ensure the best speeds for the vast majority of our customers.

SKYWEB estimates that a small percent of customers account for a disproportionate share of data usage on the SKYWEB network. To ensure that all SKYWEB users have equitable access to the SKYWEB network, SKYWEB has implemented a Fair Access Policy (or “FAP”). SKYWEB sets usage thresholds on the amount of data you can upload and download within stated time periods. If you exceed these thresholds, SKYWEB will temporarily limit the speed at which you can send and receive data over the SKYWEB access network. You will still be able to use the SKYWEB Internet access service but your speed will be slower. In cases of extreme and continued violation of the FAP limitations, your service may be suspended. SKYWEB may use other traffic management and prioritization tools to help ensure equitable access to the SKYWEB network for all customers. Your SKYWEB Internet access is not guaranteed and is subject to this FAP.

Based on an analysis of typical customers, we have set a rolling 30-day limit on data usage per customer, called a Usage Threshold. This threshold varies based on the service plan you selected. For each service plan, the Usage Thresholds are significantly above the amount of data that is used by a typical customer. Every day, we measure your upload and download data usage (“Actual Usage”) to determine if your total Actual Usage, as aggregated over the previous 30 days (“Usage Total”), exceeds the Usage Threshold for the service plan that you selected.

We may notify you via your contact email address if your Usage Total reaches 80% or more of the Usage Threshold. If at any time your Usage Total is above the Usage Threshold, we will reduce your SKYWEB access speeds, typically to 128 kbps in the downstream (*from the Internet to you*) and 128 kbps in the upstream (*from you to the Internet*) until your Usage Total is 80% or less than the Usage Threshold. Once your Usage Total reaches this level, your access speeds will be restored to the original speed levels by the next day.

You are likely to avoid any limitations imposed by the FAP if your use is typical of the majority of Internet users and consists primarily of Web surfing and a reasonable amount of downloading. Please note that your Usage Total is far more likely to exceed the Usage Thresholds below if you use peer-to-peer file sharing programs, you use a webcam or you download full length movies, large quantities of music files, full software applications or similar high-bandwidth activities.

These terms and conditions state important requirements regarding your use of the SKYWEB Internet Access service and your relationship with SKYWEB. You should read them carefully as they contain important information regarding your rights and ours. You must abide by these terms and conditions. If you choose not to abide by these terms and conditions your subscription will be terminated and you will be subject to an early termination fee.

SKYWEB reserves the right to modify this document at any time and may revise this Fair Access Policy from time to time without notice by posting a new version of this document on www.skywebinc.net, or any successor URL(s). All revised copies of the Policy are effective immediately upon posting. Accordingly, customers and users of the SKYWEB Internet Access service should regularly visit our web site. Questions regarding this FAP and complaints of violations of it by SKYWEB customers and users can be directed to help@skywebinc.net

Thank you for using SKYWEB.

This Fair Access Policy (FAP) can be viewed in its entirety on the SKYWEB web site: www.skywebinc.net

*FAP Last Updated: 09/5/06
1-5-08 corrected typo (exists to exist 1st paragraph.)*