

VYVE BROADBAND PHONE MODEM BATTERY POLICY

To use Vyve's Voice Service, you will need an EMTA (embedded multimedia terminal adopter). The EMTA must be plugged into an electrical wall outlet to operate. In the event of an electrical power outage, your Voice Service (including your access to 911/E911 and any medical and security monitoring services that depend on it) may be unavailable if a battery backup is not installed, fails or is exhausted after several hours or if there are problems with our network as further described below.

The Arris Touchstone EMTA provided to you at the time of installation comes equipped with a an eight-hour battery backup, which should provide you the ability to make or receive calls, including 911/E911 calls, when the power goes out as long as the battery last, subject to the limitations described below. In the event of a power outage, a fully charged backup battery should provide up to eight hours of standby service and approximately four hours of talk time, subject to the limitations described below. In this event, only your primary phone number will work.

We also offer a different EMTA for a one-time charge of \$60 that comes with a 24-hour backup battery. If you are also a broadband Internet customer, this EMTA will be in addition to the data modem you need to access broadband Internet services.

LIMITATIONS: The inclusion of a battery backup does not ensure that Vyve's Voice Service will work in all circumstances. If Voice Services are interrupted as a result of problems with our network, such as equipment failure, downed cables, fiber/cable cuts, congestion or depletion of our four-hour backup power supplies, the Voice Service will not function until our equipment is repaired and our network is restored.

Take Precautions. Whether it is lighting striking a transformer, or a heavy gust of wind taking out power lines, power outages can happen. In these circumstances, a functioning backup battery could provide you with additional hours of Voice Service. There are several steps you can take to prepare for a power outage in your home, which may help maintain Voice Service. Failure to adhere to these proper usage conditions will reduce both the idle and talk time available to you in an outage and the lifespan of your backup battery.

- The EMTA must be plugged into an external power source, like an electrical wall outlet, to operate.
- Do not move the EMTA installed in your home to another location.
- Keep your EMTA plugged directly into a wall outlet and not connected to a power strip or an electrical outlet controlled by a wall switch to ensure the EMTA's battery remains fully charged.
- Removal of the battery from its proper place will cause it to lose its charge and you will be unable to place or receive calls during a power outage, including 911/E911 calls. If you do remove the battery, please make sure you replace it carefully and avoid bending the pins in the battery bay. If you bend the pins, the EMTA may not work on battery power. If this occurs, you must contact Customer Service to request a new EMTA. If we find that your EMTA or battery have been damaged through improper use, we may assess a charge to replace the equipment. **In addition, do not remove the battery during a power outage. If you do, the EMTA will shut off and will not power back up during the power**

outage even when a fully charged battery is properly placed in the EMTA.

- A fully charged battery normally provides eight hours (24 hours if you have purchased the 24-hour back-up option described above) of standby power when used in a clean, dry and temperate environment. Standby time will be shorter for batteries that are more than two years old or if the EMTA is kept in a hot, cold or dusty environment. These estimates are subject to the limitations described above.
- The actual length of time that your phone will be available during a power outage depends on many variables, including, but not limited to, the following: (i) the amount of phone usage when the EMTA is utilizing power from a backup battery; (ii) whether the backup battery is properly installed and charged, such as whether it has had an opportunity to fully recharge after a prior outage; (iii) the condition and age of a backup battery; (iv) the amount of prior usage of the battery; (v) the type of phone connected to the EMTA, as power consumption varies; and (vi) the status of our network.
- The batteries for the EMTA cannot provide power to any external communications devices that require electricity. This means that during a power outage, cordless phones and adaptive telecommunications devices used by disabled customers (which require electricity) may not be available for use. For adaptive devices, please consult the manufacturer for options. We recommend keeping a corded (landline) phone in your home for use in the event of an outage. Corded phones do not need a separate power source to operate and can function with a battery back up by plugging the cord directly into the telephone jack on your EMTA.
- During a power outage, keep non-emergency calls to a minimum to prolong the life of the batteries. If the power outage lasts beyond the capability of the batteries or our network, you will not be able to place or receive calls (including 911/E911) until power is restored.
- If you have a mobile phone, ensure that it is fully charged. Keep a car charger handy for situations where electrical power is not available.
- Program emergency contact numbers in your mobile phone, including the police department, fire department and hospital, as well as family members.
- Forward your calls to your mobile phone before a severe storm knocks out power.
- Avoid using Internet services to preserve battery life during an outage.

Testing and Monitoring Your EMTA's Battery. YOU ARE SOLELY RESPONSIBLE FOR TESTING, MONITORING AND REPLACING THE EMTA BATTERY ON A REGULAR BASIS.

- If the battery light on your EMTA is solid, your battery is in good health and is fully charged.
- If the battery light on your EMTA is blinking, your battery needs to be charged or replaced. If you have recently removed your battery and/or utilized your battery during an outage, the battery light will continue to blink until it is fully charged. Please allow eight hours for the charge to be fully restored.
- If the battery light on your EMTA is out, your battery may be missing, depleted entirely, or not connected properly.
- If you need technical assistance with your battery, please contact us from your mobile phone and our customer service representatives will assist you.
- If your battery is no longer keeping charge, you can purchase a replacement battery from the EMTA's manufacturer – Arris Touchstone. Arris Touchstone batteries may be available from retailers such as Amazon and Best Buy.
- We cannot guarantee that batteries purchased from sources other than us or the EMTA's

manufacturer will be compatible with your Arris Touchstone EMTA. You are solely responsible for any damage that results from the attempted installation or use of a third-party battery.

- Under normal operating conditions, most batteries will not need to be replaced for several years. However, factors such as age and temperature could impact battery performance. Battery performance will be diminished if not kept in dry conditions. Therefore, we recommend that you check your battery on a regular basis by unplugging the EMTA and checking for dial tone on your phone. Similar to your fire alarm, you might consider checking your EMTA battery every six months.

Warranty. If the battery in your Arris Touchstone EMTA provided to you by us upon installation is defective, Vyve will replace it for up to one year from the date of installation.

Recycle Your Used Battery.

- To protect our environment, we support battery recycling and encourages you to recycle your used backup battery properly.
- For your convenience, batteries are accepted at no charge for recycling at various locations. Please check www.call2recycle.org or call 1-800-Battery (1-800-228-8379) for a battery recycling location near you.
- There is no unreturned equipment charge for your old battery.

Additional Battery Information.

- All of the EMTAs provided by Vyve at this time are equipped with only one battery slot and therefore do not support an additional spare battery. You may purchase additional backup batteries from the EMTA's manufacturer.
- If you are interested in obtaining backup power alternatives, such as solar chargers, car chargers or mobile charging stations, please contact your local hardware store or electronics retailer for possible options. To use these alternatives to power your Voice Service, you must provide AC power to the EMTA.
- Do not place batteries into fire, intense heat or liquids.
- Do not attempt to open or modify battery packs.
- Avoid skin contact with cracked or leaking batteries.

Important Liability Information. The EMTA requires power to operate properly. You have an obligation to ensure that the equipment is connected to electrical power at all times and that you monitor the battery's health. We are not liable to you if you experience an interruption of service due to power outages, including failure due to the absence or insufficiency of battery backup power or an outage affecting our network, with the exception of any applicable service or billing credits. We do not guarantee uninterrupted Voice Service even to customers that have working backup batteries or other power supplies. In some instances, such as during a weather event, our network may experience other problems that would prevent normal operation of your Voice Services even if you supply backup power to your devices.