

# Via Wireless Transparency Disclosure

**Last Updated:** September 7, 2023

## **Changes from previous version: (January 6, 2023)**

- Changed terms in “Network Management” section;
- Updated speed and latency figures; and

This disclosure provides Via Wireless’ (“Via Wireless”) customers (“you” and “your”) with information about the network management practices, performance characteristics, and commercial terms applicable to our mass market wireless broadband Internet access services (“Broadband Services”), consistent with the Federal Communications Commission’s Transparency Rule and applicable state laws and regulations. Broadband Services provide customers with the ability to transmit and receive data from all or substantially all Internet endpoints. As a Mobile Virtual Network Operator (“MVNO”), we provide our Broadband Services entirely by using the facilities of our underlying carrier, which is a leading nationwide mobile network operator (“Underlying Carrier”). As a result, while we have some control over the network management practices and performance characteristics applicable to the Broadband Services you receive from us, we do not actively manage all aspects of the network and its performance—our Underlying Carrier retains control.

Nothing in this disclosure changes your rights and obligations, or ours, under our Terms and Conditions or our Privacy Policy, available at [www.viawirelessllc.com](http://www.viawirelessllc.com). This disclosure is provided for informational purposes only and we may change it at any time, without notice. Your broadband access will be provided as described in your specific service plan, which governs in case of any contradictions with this Transparency Disclosure.

## **Network Management Practices**

### **How does Via Wireless manage congestion with respect to its Broadband Services?**

Via Wireless strives to provide a high-quality Internet experience for all our customers via the resale of services on our Underlying Carrier’s network. Because bandwidth is a limited resource and the network of our Underlying Carrier is shared among Via Wireless’ customers and other users of our Underlying Carrier’s network, it is essential that our Underlying Carrier engages in reasonable network management practices to benefit all users of the network. Legitimate network management purposes typically include reasonable security practices by providing: confidentiality, integrity and availability of network services, reasonable measures to address traffic that is harmful to the network and providing services or capabilities consistent with customer’s choices regarding services offered.

When congestion occurs, you may experience reduced throughput or speed compared to non-congested times or to other users. Our Underlying Carrier may independently prioritize service for certain of its subscribers which may result in your network speeds being reduced during times of network traffic congestion as determined by our Underlying Carrier. Our Underlying Carrier may also use network management techniques to ensure the best possible experience for the most possible customers, including modifying the manner in which streaming video is delivered. It also may prioritize emergency communications, including by law enforcement, public safety officials, or national security authorities, consistent with or as permitted by applicable law, which may impact other users of its network, including our customers.

**Does Via Wireless limit data usage or provide customers with tools to monitor and control their data usage?**

Via Wireless offers service plans with pre-established allotments of data at designated speeds per month and the opportunity to purchase additional data. Certain uses of the Broadband Services may not count against a customer's data allotment, check your specific service plan for details. If you use the Broadband Services in a manner that violates our Terms and Conditions, including our Acceptable Use Policy, available at [www.viawirelessllc.com](http://www.viawirelessllc.com), we may suspend, terminate, or restrict your data session, switch you to a more appropriate data plan, or terminate your service. Customers may determine their remaining data balance by contacting customer service at [customerservice@viawirelessllc.com](mailto:customerservice@viawirelessllc.com) or 1-877-346-1501.

**Does Via Wireless block or throttle lawful Internet traffic based on content, application, service, or use of non-harmful devices or modify particular protocols?**

No, Via Wireless does not block or throttle (including impair or degrade) lawful Internet traffic on the basis of content, application, content provider, or use of non-harmful devices on its Broadband Services, subject to reasonable network management. Nor do we modify particular protocols, protocol ports, or protocol fields in ways not prescribed by the protocol standards. Our Underlying Carrier optimizes streaming video to deliver video in DVD-quality (up to 2.5 Mbps). Your plan may additionally be subject to data caps and speed limitations; please check your service plan for details. As outlined in the Acceptable Use Policy in our Terms and Conditions, we or our Underlying Carrier may need to block or limit the flow of traffic from certain locations or take other appropriate actions.

**Does Via Wireless directly or indirectly favor some traffic over other traffic in its provision of the Broadband Services either in exchange for consideration from a third party or to benefit an affiliate?**

No, Via Wireless does not directly or indirectly favor some traffic over other traffic (such as through prioritization, resource reservation, or traffic shaping) in its provision of the Broadband Services for any type of consideration from a third party or to benefit an affiliate. During natural disasters and other emergencies, our Underlying Carrier may prioritize emergency

communications, including those of law enforcement, public safety officials, or national security authorities, consistent with or as permitted by applicable law.

**Does Via Wireless require consideration from edge providers in exchange for the non-discriminatory treatment of their content, application, service, or non-harmful device?**

No, Via Wireless does not require consideration, monetary or otherwise, from edge providers (i.e., individuals or entities that provide any content, application, service, or non-harmful device) in exchange for the non-discriminatory treatment of their content, application, service, or non-harmful device, including, but not limited to, in exchange for transmitting traffic to and from our end users or preventing the blocking or throttling (including impairment or degradation) of the edge provider's content, application, service, or non-harmful device.

**Does Via Wireless unreasonably interfere with or unreasonably disadvantage: (1) an end user's ability to select, access, and use the Broadband Services; (2) the lawful content, applications, services, or devices of the end user's choice; or (3) an edge provider's ability to make lawful content, applications, services, or devices available to end users?**

No, subject to reasonable network management, Via Wireless does not unreasonably interfere with or unreasonably disadvantage: (1) an end user's ability to select, access, and use the Broadband Services; (2) the lawful content, applications, services, or devices of the end user's choice; or (3) an edge provider's ability to make lawful content, applications, services, or devices available to end users.

**What practices has Via Wireless adopted to manage network security?**

Via Wireless takes the security of our customers very seriously. As an MVNO, Via Wireless does not have the ability to manage the security of its Underlying Carrier's network. However, it is our understanding that our Underlying Carrier has implemented reasonable physical, technical, and administrative safeguards to help guard against a wide range of security threats. Specifically, our Underlying Carrier proactively monitors network activity to help guard against a wide range of security threats, including viruses, botnets, worms, distributed denial of service attacks, spam, and other harmful activity. Our Underlying Carrier also takes steps to neutralize identified threats. Via Wireless uses industry-accepted security measures to secure our network. Despite these security practices, Via Wireless cannot guarantee that you will not encounter unwanted, harmful, or malicious Internet traffic while using our Broadband Services or that information, during transmission through the Internet, while stored on our system, or otherwise in our care, will be safe from intrusion by others, such as hackers. We encourage you to adopt your own reasonable security practices. For additional information on our network security, please refer to the Service Security and Optimization section of our Terms and Conditions.

## **Does Via Wireless restrict the types of devices that customers can use with its Broadband Services?**

Via Wireless customers may use any 4G or 5G-capable devices of their choice with our Broadband Services, so long as the devices are compatible with and do not harm or interfere with the networks of our Underlying Carrier and comply with all applicable laws, rules, regulations, and standards.

## **What is geolocation data, and does Via Wireless collect or share my geolocation data?**

Geolocation data is generally understood to be subscribers' real-time location information or other information used to determine subscriber physical location when using Via Wireless' services. As an MVNO, Via Wireless does not collect, store, use or share subscriber geolocation data, except to the extent that such information is included on records reported from our underlying carrier. Our underlying carrier may use and collect geolocation data as needed to support the services we provide to you. Our Privacy Policy, located at [www.viawirelessllc.com](http://www.viawirelessllc.com) outlines Via Wireless' privacy practices in detail including any that relate to Geolocation Data.

While Via Wireless does not collect, use, or share Geolocation Data other than described above, please be aware that applications on your Via Wireless device could collect and share data; please visit those applications' Terms and Conditions, Privacy Policies, and other documentation to determine data collection and sharing by applications you access on your device using your Via Wireless device.

## **Network Performance Characteristics**

### **What factors affect the performance of Via Wireless' Broadband Services?**

Although our Underlying Carrier engineers and manages its network to provide optimal performance to all users and user types, including based on average and anticipated peak usage of the network, the end-to-end performance of our Broadband Services can depend on a variety of factors, many of which cannot be anticipated or are outside of our and our Underlying Carrier's control, including: your location relative to our coverage area, your proximity to a cell site, the capacity of the cell site, the number of other customers connected to the same cell site, the number of customers simultaneously using the network, the services other users are using, topography, weather, obstructions, use inside a building or a moving vehicle, radio frequency interference, the capabilities of your device, the applications you are using, the server with which your device is communicating, the source or destination of your Internet traffic, overall traffic on the Internet, whether there are network outages, and applicable network management practices discussed above. These factors can impact the availability of network resources for Broadband Services at any time.

## **What performance can I expect from Via Wireless' Broadband Services?**

Via Wireless offers mobile broadband Internet access service using its Underlying Carrier's 4G LTE and 5G networks. Performance of broadband Internet access services is generally evaluated based on speed and latency. Because, as described above, our reasonable network management practices and a variety of other factors can affect the performance of our Broadband Services, neither we nor our Underlying Carrier guarantee specific performance when you use our Broadband Services. Additionally, the specific terms of your service plan may limit the amount of high-speed data included with your service plan and the actual speeds associated with data allocations included in your service plan. Reduced network speeds may increase the latency you experience.

### ***Speed***

Speed reflects the rate at which Broadband Services can transmit data packets. This capacity is typically measured in the number of kilobits, megabits, or gigabits that can be transmitted in one second (kbps, Mbps, or Gbps). Some applications, like a short email without attachments or basic web browsing, do not require high-speed service to function optimally. Other activities, like transferring large data files, can be performed faster with higher-speed services. Applications involving real-time or near real-time, high bandwidth uses, such as streaming video or video conferencing, may require high-speed service to function optimally.

The maximum download speeds achievable on the network of our Underlying Carrier are typically between 73 – 341 Mbps for 5G devices and 9 – 48 Mbps for 4G LTE devices. The maximum upload speed is typically between 7 – 32 Mbps for 5G and 3 – 18 Mbps for 4G LTE devices. Via Wireless provides its Services at speeds of at least 128 kbps download and upload, where the network will support such performance. After you use your monthly high-speed data allotment included in your service plan, your data speed may be reduced or your data access may be suspended for the remainder of the billing cycle, please check your service plan for details. Customers can receive additional data by upgrading their service plan to one with a higher data allotment or by purchasing a data top-up.

### ***Latency***

Latency is the time that a data packet takes to travel between two points on the Internet, usually expressed as the round-trip time in milliseconds (ms). Some applications, such as email, can tolerate a substantial amount of latency without any noticeable impact on the application's performance. Other applications, such as real-time video conferencing, require lower latency to function properly. Latency may increase as speeds are reduced. The minimum round-trip latency achievable on the network of our Underlying Carrier is typically between 19 – 37 ms for 5G and 24 – 40 ms for 4G LTE devices.

## **Commercial Terms**

### **Where can I find the rates and other fees that apply to Via Wireless' Broadband Services?**

Descriptions of the rates and fees applicable to our Broadband Services are described in our service plan offers and in our general Terms and Conditions, available on our website, [www.viawirelessllc.com](http://www.viawirelessllc.com). Via Wireless does not charge termination fees and is not responsible for any termination fees that may be imposed by another carrier that ports your number or benefits (e.g., Affordable Connectivity Program) to the Via Wireless platform.

### **Where can I find the Terms and Conditions and Acceptable Use Policy that apply to Via Wireless' Broadband Services?**

The Terms and Conditions (including our Acceptable Use Policy) can be found at [www.viawirelessllc.com](http://www.viawirelessllc.com).

### **What are Via Wireless' privacy practices for its Broadband Services?**

Via Wireless' privacy practices for its Broadband Services is set forth in our Privacy Policy at [www.viawirelessllc.com](http://www.viawirelessllc.com).

### **How can I get assistance if I have a question, concern, or complaint or need more information about Via Wireless' Broadband Services?**

If you have questions or concerns about our Broadband Services, please contact us using the following information:

Email: [customerservice@viawirelessllc.com](mailto:customerservice@viawirelessllc.com)