

## Customer Notice of 911 and E911 Service Limitations

PLEASE READ THIS NOTICE CAREFULLY.

BY CLICKING “I AGREE,” YOU AGREE THAT YOU HAVE READ AND UNDERSTAND THE LIMITATIONS ASSOCIATED WITH THE 911 AND E-911 EMERGENCY SERVICES AVAILABLE THROUGH THE BANDWIDTH.COM CALLING SERVICES.

IF YOU DO NOT AGREE, YOU ARE NOT AUTHORIZED TO USE ANY PHONEBOOTH SERVICE.

**Definitions** -- Terms capitalized when used within this document have the following meanings:

“911 Services” means functionality that allows end users to contact emergency services by dialing the digits 9-1-1.

“Enhanced 911 Service” means the ability to route an emergency call to the designated entity authorized to receive such calls, which in many cases is a Public Safety Answering Point (“PSAP”), serving the Customer’s registered or user-provided address and to deliver the user’s telephone number and registered address information automatically to the emergency operator answering the call.

“Basic 911 Service” means the ability to route an emergency call to the designated entity authorized to receive such calls serving the Customer’s registered or user-provided address. With basic 911, the emergency operator answering the phone will not have access to the caller’s telephone number or address information unless the caller provides such information verbally during the emergency call.

**With Enhanced 911 Service (“E911”)**, when a caller from your registered location dials the digits 9-1-1 from any Bandwidth.com offered calling service that is associated with a phone number and a properly registered address, the phone number and address are automatically sent to the local emergency center serving the location. Emergency operators will have access to this information regardless of whether the caller is able verbally to provide such information.

**With Basic 911 Service**, when a caller from your registered location dials the digits 9-1-1, the call is sent to the local emergency center serving that location. Operators answering the call will not have automatic access to the caller’s call-back telephone number or the associated registered address, **even if that address has been properly registered**, because the emergency center will not be equipped to receive, capture or retain the telephone number associated with the Bandwidth.com calling service or the registered address. Accordingly, callers must be prepared verbally to provide both call-back and address information. If the call is dropped or disconnected, or if the caller is unable to speak, the emergency operator answering the call will not be able to call the caller back or dispatch help to the caller’s address.

**Emergency Service Disclosure applicable To All calling services offered by Bandwidth.com -- The limitations detailed below are applicable to all of Bandwidth.com’s calling services.** Customer agrees to inform all users of Bandwidth.com’s calling services of the potential complications arising from the delivery of emergency services when dialing 911. Specifically, Customer acknowledges and agrees to inform all employees, guests and other third persons who may use Bandwidth.com’s calling services of the limitations detailed below associated with all of Bandwidth.com’s emergency calling services.

**1. All of Bandwidth.com’s Calling Services Have 911 Capabilities that are Different Than Those Offered by Traditional Providers of Telephone Services:**

Customer acknowledges and agrees that all of Bandwidth.com’s calling services are Internet based and that the 911 services associated with all of Bandwidth.com’s calling services are different from those offered by traditional providers of telephone services. Bandwidth.com’s calling services are not meant to be relied upon in the case of an emergency. While Bandwidth.com attempts to provide access to emergency service, the

service is not intended to be used to support or to carry emergency calls to any type of hospitals, law enforcement agencies, medical care units or any other kind of emergency services. **YOU SHOULD MAINTAIN AN ALTERNATIVE MEANS OF CALLING EMERGENCY SERVICES.**

**2. 911 Service Will NOT Work If You Experience A Power Outage Or An Outage Or any network disruption**

Outages in your electricity and problems with your connection, including network congestion, will disrupt any Bandwidth.com calling service and you will not be able to use it for 911 emergency calling.

**3. 911 Service Will NOT Work If Your Service Is Disconnected Or You Experience An Outage For Any Reason**

If you have a service outage due to a suspension of your account due to billing issues or for any other reason, you will not be able to use any Bandwidth.com calling services for any calls, including for emergency service or 911 calls.

**4. You May Not Be Able to Reach the Correct Emergency Services If You Have A Telephone Number That Does Not Match Your Actual Geographic Location**

All 911 Services will only be available in the location associated with the particular Bandwidth.com assigned direct-inward-dial (“DID”) telephone number assigned to the Customer. For Basic 911 Services or E911 to be accurately routed to the appropriate emergency call center, the Customer must provide a Bandwidth.com assigned DID or a DID ported to Bandwidth.com as the call-back telephone number for all 911 calls. Additionally, if you are using the service in one particular area that has a certain area code but you are using a telephone number with a different area code, when you dial 911 you may not be able to reach any emergency personnel. Even if you do reach emergency personnel, you may not be calling the emergency personnel near your actual location and the emergency personnel may not be able to transfer your call or respond to your emergency.

**5. You May Not Be Able To Reach the Correct Emergency Service If You Register An Incorrect Service Address**

Customer further acknowledges that failure to provide a correct physical address in the correct format may cause all Basic 911 Service or E911 calls to be routed to the incorrect local emergency service provider. Furthermore, Customer recognizes that use of any Bandwidth.com calling service from a location other than the location to which such service was ordered, i.e., the “primary registered address,” may result in Basic 911 Service or E911 calls being routed to the incorrect local emergency service provider.

**6. You May Not Be Able to Reach the Correct Emergency Services If You Move Your Phone to a Location Different From the Address You Initially Registered**

It is important that you register your location every time you move the equipment associated with your Bandwidth.com calling service. If you move your Bandwidth.com equipment to another location without reregistering, when you dial 911, you may not be able to reach any emergency personnel. Even if you do reach emergency personnel, you will not be calling the emergency personnel near your actual location and this emergency personnel may not be able to transfer your call or respond to your emergency.

**7. You May Not Be Able to Reach the Correct Emergency Services If You Fail to Reregister Your New Location Or Call 911 Within 48 Hours of Updating Your Location**

It is important that you register your location every time you move the equipment associated with your Bandwidth.com calling service. When you change your location, it may take up to 48 hours for your location change to be reflected in our records. During that time, you may not be able to reach any emergency service provider or may not be able to reach the correct emergency services provider by calling 911 with Bandwidth.com calling services.

**8. Bandwidth.com calling services allow one emergency service address to be associated with each telephone number.**

Certain Bandwidth.com calling services do not have a telephone number associated with them but allow for placing and receiving calls. For example, Bandwidth.com offers a softphone client. Customers may choose to buy calling services from Bandwidth.com that have a telephone number but then use the softphone client to allow multiple users to place and receive calls using one telephone number. Customers must use the softphone client and the Bandwidth.com calling service that has a telephone number associated with it from the same location. Using a service that does not have a telephone number in a remote location will result in the wrong address information being sent in the event of placing an emergency call by dialing 911. The emergency call operator may not be able to transfer the call to appropriate emergency call operators. In the event that Customer intends to use Bandwidth.com calling services in multiple locations, at least one telephone number will be required for each location. You acknowledge and agree to this limitation and agree that you will obtain at least one telephone number for each location associated with the Bandwidth.com calling service.

**BY CLICKING “I AGREE,” YOU ACKNOWLEDGE AND AGREE THAT:**

**YOU HAVE READ AND UNDERSTAND THE LIMITATIONS ASSOCIATED WITH THE 911 AND E-911 EMERGENCY SERVICES AVAILABLE THROUGH THE BANDWIDTH.COM CALLING SERVICES.**

**Bandwidth.com is not required to offer access to emergency services under any applicable federal, state or local law and/or regulations.**

**Any obligations that may be imposed by federal and state law on operators of private branch exchange or multiline telephone systems are obligations imposed on you, the Customer, and not on Bandwidth.com.**

**Bandwidth.com's calling services will only be used for business, non-residential purposes in an environment that requires either multiple lines or extensions and if this situation ever changes you will discontinue the use of Bandwidth.com's calling services.**

**YOU ARE ABLE TO ELECTRONICALLY ACCESS AND PRINT THIS AGREEMENT AND THAT CLICKING "I AGREE" CONSTITUTES YOUR VALID ELECTRONIC SIGNATURE.**