

# Nittany Media's Open Internet Transparency Disclosure

## Introduction

Nittany Media provides our customers and the communities we serve with quality, state of the art services. We are committed to providing our Internet services as an open platform for our customers to connect with the world and its many opportunities.

We believe that the Internet should be open and accessible by all. We do not engage in slowing down, throttling, blocking or prioritizing one user over another. To the contrary, we work tirelessly to speed up and enhance our customer's Internet experience. We agree with and uphold the principles of net neutrality.

This disclosure provides certification of this fact, as well as additional information about how we do that.

## Scope of Nittany Media's Coverage

This information is required by FCC law:

**Name of filer:** Nittany Media, Inc.

**FCC Registration Number (FRN):** 0004052577

**Trade name or DBA name under which the described ISP services are offered to consumers:**

- Nmax
- Nittany Media

**Type of ISP service:**

- Wired - DOCSIS (Data Over Cable Service Interface Specification) cable modem
- Fixed wireless
- Optical Fiber

**Brief description of service covered by this disclosure**

Nittany Media's Nmax broadband Internet service is delivered primarily over a coaxial network using the Data Over Cable Service Interface Specification (DOCSIS) version 3.0. Customers subscribing to our cable service access our network using cable modems and can utilize wireless routers within the premises. Our broadband Internet service is also delivered over fiber optic and fixed wireless in the non-licensed spectrum. These latter two delivery methods are utilized primarily by some of our commercial customers.

**Effective date of this disclosure:** January 30, 2018. This submission is a new/first-time disclosure.

# Substantive Disclosure Submission

Consistent with FCC regulations, Nittany Media, Inc. provides this information about our broadband Internet access service. We welcome questions or comments about this information, including any questions about any portions that you do not understand. To contact us, please see the Contact Information section at the end of this disclosure.

## Network Management Practices

### Blocking

Nittany Media does not block, or otherwise prevent end users from accessing lawful content, applications, services or non-harmful devices on our network. In order to protect our customers, we may use reasonable network management practices to block or limit sources that are used to launch malware, or other malicious attacks, send spam, or steal a user's information. In so doing we may enforce limits on the number of login, Simple Mail Transfer Protocol (SMTP), Domain Name System (DNS), and Dynamic Host Configuration Protocol (DHCP) transactions per second that customers can send to our servers. In addition, as described below, in order to protect our network and our customers against Denial of Service (DoS) attacks, we may block or limit certain ports or protocols commonly used for these attacks.

### Throttling

Nittany Media does not degrade or impair access to lawful Internet traffic on the basis of content, application, service, user or use of a non-harmful device.

### Affiliated and Paid Prioritization

Nittany Media does not utilize any practice that directly or indirectly favors some traffic, either our own or an affiliate's traffic, over other traffic in exchange for consideration.

### Congestion Management

Nittany Media does not engage in any specific network management practices to address the effects of congestion. For example, we do not block specific applications or traffic that may tend to increase congestion. Instead, we focus on anticipating and minimizing or avoiding congestion by monitoring network usage and augmenting capacity in a targeted manner.

### Application-Specific Behavior

Nittany Media does not use any application-specific network management practices. Nittany Media does not block or rate-control specific protocols or protocol ports, modify protocol fields (in ways not prescribed by the protocol standard), and does not inhibit or favor certain applications or classes of applications. Nittany Media does not discriminate against or otherwise prevent users of our Internet service from sending and receiving the lawful content of their choice; running lawful applications and using lawful services of their choice; or connecting their choice of legal devices, as long as such applications, services and devices do not harm the network or the provision of broadband Internet access services, facilitate theft of service, or harm other users of the service. Similarly, Nittany Media does not impair or degrade particular content, applications, services, or non-harmful devices. Nittany Media reserves the right to employ network management practices to prevent certain harmful or illegal activity, such as viruses or other malicious code or the transfer of child pornography or other unlawful content, including copyright infringing files that are alleged to be or actually are shared via BitTorrent or other peer-to-peer applications.

## Device Attachment Rules

Nittany Media does not impose restrictions on lawful devices that a customer may connect to our network, so long as the device is: (i) compatible with our network; and (ii) does not harm our network or other users.

Nittany Media's Cable Broadband Service requires the connection of a cable modem to our network. You can obtain a cable modem from us or provide your own cable modem that meets the above device attachment criteria. If you have any questions about compatibility, please call our Customer Service Department (see the Contact Information section at the end of this disclosure).

## Network Security Measures

Nittany Media actively seeks to address the threats posed by harmful and unwanted traffic and reserves the right to protect the security and integrity of our network and our customers by any lawful means it deems appropriate. Viruses, worms, denial of service attacks, and the use of malicious software such as spyware, can adversely affect the network and harm customers' computers, impair quality of service, compromise their data, and harm third parties as well.

We employ certain practices on a case-by-case and as-needed basis to protect our network and our customers against third-party attacks. These practices could be triggered if Nittany Media detects traffic levels that significantly exceed certain baselines. In accordance with common industry practices and in response to demonstrated harms, Nittany Media may block certain ports that are known to be vulnerable or used for malicious purposes.

## Performance Characteristics

*Service Description.* Nittany Media offers residential and commercial customers their choice of broadband Internet access services, each of which offers different upload and download speeds, features and prices. The most appropriate package for a particular customer will depend upon a variety of factors, including the types of applications typically used, the number of users in the household and the number of household devices that connect to the Internet. The features, branding, pricing and other commercial terms of our service offerings are modified from time to time and not all packages may be available in all geographic areas. Full descriptions of pricing and features for the services currently available can be found by contacting a Nittany Media customer service representative (see the Contact Information section at the end of this disclosure)

*Suitability of the Service for Real-time Applications.* Nittany Media's broadband Internet access service is suitable for typical real-time applications, including but not limited to: messaging, voice applications, video chat applications, gaming, and Internet video. If users or developers have questions about particular real-time applications, please contact us (see the Contact Information section at the end of this disclosure).

## Speed

The actual speed a customer experiences at any particular time may vary based on a number of factors and conditions, many of which are outside of our control. These conditions include, but are not limited to:

- **The performance of customer Internet-connected devices.** That is, router(s), computers and other devices used to access the Internet.
- **Type of connection between a customer's computer and modem.** If there is a router between your modem and your Internet-connected device, the connection speed you experience can often depend on the model and configuration of the router. For wireless routers, the speed and bandwidth may vary depending on the distance between the router and the wireless connected device, as well as other factors which may affect the connected device's reception of the wireless router signal, such as walls, other barriers and signal interference.

- **The distance packets travel (round trip)** between a customer's Internet-connected device and its final destination on the Internet, including the number and quality of the networks of various operators in the transmission path.
- **Congestion or high usage levels at the website or destination.** If a large number of visitors are accessing a site or particular destination at the same time, the speed with which your data downloads or uploads will be affected if the site or destination does not have sufficient capacity to serve all of the visitors efficiently at the same time.
- **Gating of speeds or access by the website or destination.** In order to control traffic or performance, many websites limit the speeds at which a visitor can download from their site.
- **The suitability of the cable modem.** Some modems may not be capable of handling higher speeds. Where a modem upgrade is necessary to enjoy available speeds and a customer has not yet completed that upgrade, the customer's experienced speed may be limited by the technical capabilities of that older device.
- **The number of users and Internet-connected devices in a household.** The Internet bandwidth provided to a customer by Nittany Media can be shared with all of the users and Internet-connected devices connected to that customer's internal network, typically a wireless router (WiFi). If the total bandwidth usage of these devices approaches the available bandwidth in the customer's tier of service from Nittany Media, the speed may be affected. Upgraded packages are available from Nittany Media to meet our customer's needs.

In addition to the variables described above, customers' Internet speed will depend on the service level to which they subscribe. As noted above, Nittany Media offers different tiers of broadband Internet access services with varying targeted upload and download speeds across our footprint. We encourage all of our customers to consider the capabilities of their equipment, as well as the number of Internet-connected devices in their household when deciding which tier of service to purchase. A customer may need to upgrade the computers and wireless or other networks on their own premises to take full advantage of the transmission speeds that Nittany Media's network can provide.

To avoid congestion on our network (which may affect the data transfer speed experienced by users), Nittany Media continuously monitors the node throughput serving a customer area. When bandwidth usage on a node approaches 80% of current capacity, we proactively take measures to expand the capacity for that area to avoid congestion, thus keeping a fast Internet experience for our customers, even during peak demand times.

The following table lists the available Internet service packages, technologies, as well as expected and actual speeds and latencies:

Package Name	Technology	Expected (Megabits per second)		Latency Milliseconds	Actual (Megabits per second)		Latency Milliseconds
		Down	Up		Down	Up	
Res. Nmax Lite	DOCSIS	1	0.15	5 – 40	1.05	0.20	11.06
Res. Nmax Standard	DOCSIS	12	0.734	5 – 40	12.77	0.78	11.37
Res. Nmax Standard Plus	DOCSIS	12	1.5	5 – 40	12.76	1.60	11.18
Res. Nmax Pro	DOCSIS	25	1	5 – 40	26.02	1.09	10.58
Res. Nmax Pro Plus	DOCSIS	25	1.5	5 – 40	26.23	2.11	11.33
Res. Nmax Gold	DOCSIS	50	2	5 – 40	48.18	2.13	10.96
Res. Nmax Gold Plus	DOCSIS	50	4	5 – 40	46.16	4.24	10.58
Res. Nmax Platinum	DOCSIS	125	12	5 – 40	122.21	10.28	10.79
Com. Nmax Standard	DOCSIS	12	0.734	5 – 40	12.83	0.77	10.64
Com. Nmax Standard Plus	DOCSIS	12	1.5	5 – 40	12.82	1.60	10.92
Com. Nmax Pro	DOCSIS	25	1	5 – 40	26.64	1.09	11.08
Com. Nmax Pro Plus	DOCSIS	25	1.5	5 – 40	26.69	2.11	10.37
Com. Nmax Gold	DOCSIS	50	2	5 – 40	53.38	2.12	10.66
Com. Nmax Gold Plus	DOCSIS	50	4	5 – 40	53.30	4.30	8.96
Com. Nmax Platinum	DOCSIS	125	12	5 – 40	134.03	12.83	10.80
Nmax Burstable Gigabit Fiber	Optical Fiber	1000	1000	1 – 10	1000.08	1009.99	2.75
Nmax Wireless	Fixed Wireless	22	22	5-30	18.61	18.28	8.52

## Commercial Terms

### *Price*

Monthly prices for our residential and commercial Internet access services are available upon request by contacting us (see the Contact Information section at the end of this disclosure).

### *Impact of Non-Broadband Internet Access Service Data Services*

Nittany Media offers our customers telephone service utilizing Voice Over IP (VoIP) technology, which is a non-broadband Internet service. To meet the technical demands of this service, which includes the capability of making threat to life 911 calls, VoIP data packets are given top prioritization over other types of data running on the same Internet access service. The amount of this traffic however, is significantly smaller than all other data traffic and does not affect the last-mile capacity available for, and the performance of, broadband Internet access service. This is in keeping with industry standards for the operation of such a service.

### *Privacy Policies*

Your privacy is very important to us. Personal information that you provide to Nittany Media is governed by our Privacy Policy.

Nittany Media's Privacy Policy is disclosed annually and mailed to all of our customers, as contained in the company's "Nittany Media Customer Privacy Notice". A copy of this policy is available upon request (see the Contact Information section at the end of this disclosure). This policy is subject to change from time to time. Personal information is used primarily to provide your services, and is shared with third parties as is needed to provide the service but also in accordance with Nittany Media's Privacy Policy and consistent with applicable law. Nittany Media reserves the right, as required or permitted by law, to provide account and user information such as billing records, service and connection history, email, IP addresses, computer and modem MAC addresses, contact information, to third parties and to cooperate with law enforcement authorities in the investigation of any criminal or civil matters. In some cases, we are requested not to disclose to the customer that a request for such information has been made. Nittany Media cooperates with such law enforcement requests under subpoena or court order. Further cooperation may include, but is not limited to, monitoring of Nittany Media's network consistent with applicable law.

#### *For Questions, Complaints and Redress Options*

For immediate assistance with issues or complaints involving your broadband Internet access service, please contact Nittany Media's Customer Service Department (see the Contact Information section at the end of this disclosure).

Nittany Media's practices for resolving complaints and questions from consumers, entrepreneurs, and other small businesses are disclosed annually and mailed to all of our customers, as contained in the company's "Nittany Media Annual Notice". A copy of this notice is available upon request (see the Contact Information section at the end of this disclosure).

This Disclosure may change from time to time. For the latest disclosure, please visit our website at [www.NittanyMedia.com](http://www.NittanyMedia.com)

## **Contact Information**

For questions about Nittany Media services or policies you may reach us at:

Phone: 717-248-3733 or toll free at 800-692-7401

Email: [info@nmax.net](mailto:info@nmax.net)

USPS Mail: PO Box 111, Lewistown, PA 17044

In person at our office: 18 N. Juniata Street, Lewistown, PA (Monday - Friday 8:00am - 5:00pm. Holiday hours may vary, please call ahead to confirm the office is open).

For technical assistance, please call us.