

46 Lab's Unlimited Calling Fair Use Policy ("FUP")

46 Labs' FUP is to prevent abuse, fraud or unreasonable exploitation of unlimited local and long-distance calling ("Unlimited Calling") and unreasonable overutilization of 46 Labs' facilities. 46 Labs' Unlimited Calling, both long distance and local, offered in conjunction with 46 Labs' local service products, is intended solely for normal commercial use. 46 Labs' Unlimited Calling for its local service products is designed only for continuous live dialog between two individuals. Unusual calling patterns, excessive called numbers and/or consistent excessive usage will each be considered an indicator that usage is exceeding normal standards.

46 Labs' Unlimited Calling for its local service products may not be used for auto-dialing, continuous, or extensive call forwarding, excessive conferencing, inbound/outbound centralized or distributed call center activity, inbound/outbound customer service, telemarketing (including charitable or political solicitation or polling), fax or voicemail blasting, or for continuous or extensive chat line access, or as an open telephone line as a monitor, intercom or transcription service. 46 Labs has other plans applicable for such applications and businesses.

It will be considered a violation of this FUP on a 46 Labs local service product for a Customer to exceed more than one-thousand (1,000) inbound, outbound or toll free local or long distance minutes per month per subscriber line, SIP trunk, hosted seat, PRI/T-1 trunk/DSO or analog line, etc., in aggregate. For example, for a Customer who contracts for 50 hosted seats, if the Customer's total monthly local/long distance inbound minutes or local/long distance outbound minutes (as applicable) exceeds 50,000 minutes / per month (1,000 minutes/hosted seat x 50 seats), then such usage exceeds this Fair Use Policy.

For Unlimited Calling on a 46 Labs local service product, 46 Labs shall apply a surcharge of up to \$0.04 per minute of use to the number of minutes by which Customer's usage exceeds this normal usage. The minutes for call forwarded and remote call forwarded calls are allocated to the Customer's inbound and outbound minutes for each call that i) comes into a 46 Labs-supplied DID and ii) is then rerouted outbound to a telephone number outside of 46 Labs' network.