

Privacy Policy

Davey Holdings LLC, doing business as Silica Broadband ("Silica Broadband," "we," "us," or "our")

Effective Date: 1/1/2020

Last Updated: 10/14/2023

1. Introduction

Davey Holdings LLC, doing business as Silica Broadband, respects your privacy and is committed to protecting the personal information you share with us. This Privacy Policy explains how we collect, use, disclose, and safeguard your information when you visit our website, subscribe to our internet, voice, or related communications services, or otherwise interact with us.

By using our services or website, you agree to the collection and use of information in accordance with this policy. If you do not agree with our policies and practices, please do not use our services.

2. Information We Collect

We collect several types of information from and about our customers and website visitors, including:

a. Information You Provide Directly

- Full name, mailing address, and service installation address
- Email address and telephone number(s), including mobile numbers
- Date of birth (for identity verification)
- Payment information, including billing address, credit/debit card details, or bank account information
- Government-issued identification, when required for credit checks or identity verification
- Account credentials (such as usernames and passwords)
- Communications you send to us, including customer service inquiries and support requests

b. Information Collected Automatically

- IP addresses and device identifiers
- Network usage data, connection logs, and service performance data
- Browser type, operating system, and referring URLs
- Cookies, pixels, and similar tracking technologies from our website
- Approximate location data derived from IP address or service address

c. Customer Proprietary Network Information (CPNI)

If you subscribe to our voice or telephony services, we collect Customer Proprietary Network Information as defined by the Federal Communications Commission (FCC), including call records, the services you subscribe to,

and how those services are used. We protect CPNI as required by federal law.

d. Information From Third Parties

We may receive information about you from credit reporting agencies, identity verification services, payment processors, and marketing partners where permitted by law.

3. How We Use Your Information

We use the information we collect to:

- Provide, maintain, activate, and troubleshoot your internet, voice, and related services
- Process payments, billing, and collections
- Verify your identity and prevent fraud
- Respond to customer service requests and technical support inquiries
- Send service-related notices, outage alerts, and account updates
- Improve our network, services, and customer experience
- Comply with legal obligations, court orders, lawful subpoenas, and regulatory requirements
- Send marketing and promotional communications (where permitted and with appropriate consent)

4. SMS and Text Message Communications

Silica Broadband may use SMS (text messaging) to communicate with customers who have provided a mobile phone number and consented to receive text messages.

a. Types of Messages You May Receive

- ****Account and service notifications:**** appointment confirmations, installation reminders, outage alerts, and service updates
- ****Billing notifications:**** payment reminders, payment confirmations, and past-due notices
- ****Customer support:**** responses to inquiries you initiate and follow-ups from our support team
- ****Promotional messages:**** information about new services, plan changes, or special offers (only if you have opted in to promotional messaging)

b. Consent

By providing your mobile phone number to Silica Broadband and opting in, you consent to receive text messages from us at that number. Consent to receive marketing text messages is not a condition of purchasing any goods or services. You may opt in through our website, service agreement, customer portal, or by texting a keyword to our designated number.

c. Message Frequency

Message frequency varies based on your account activity and the types of messages you have opted into. You may receive recurring messages.

d. Message and Data Rates

Standard message and data rates may apply based on your mobile carrier plan. Silica Broadband is not responsible for any charges imposed by your wireless carrier.

e. Opting Out (STOP)

You can cancel SMS messages at any time by replying ****STOP**** to any text message you receive from us. After you send "STOP," we will send you a confirmation message, and you will not receive additional text messages from that program unless you opt in again. If you need assistance, reply ****HELP**** or contact us using the information in Section 13 below.

f. Supported Carriers

SMS services are available on most major U.S. carriers. Carriers are not liable for delayed or undelivered messages.

g. Privacy of Mobile Information – No Sharing With Third Parties for Marketing

****No mobile information, including phone numbers and SMS opt-in data, will be shared with third parties or affiliates for marketing or promotional purposes.**** All categories of information described in this Privacy Policy exclude text messaging originator opt-in data and consent; this information will not be shared with any third parties or affiliates for marketing purposes. Information sharing to subcontractors in support services, such as customer service and messaging platform providers, is permitted only to the extent necessary to deliver the SMS service you have requested.

5. How We Share Your Information

We do not sell your personal information. We may share your information in the following limited circumstances:

- ****Service providers and vendors:**** billing processors, payment gateways, network equipment vendors, installation contractors, SMS/messaging platform providers, and IT service providers who perform services on our behalf and are contractually obligated to protect your information
- ****Legal and regulatory compliance:**** in response to subpoenas, court orders, lawful government requests, or to comply with federal, state, or local laws (including FCC and FTC requirements)
- ****Protection of rights:**** to protect the safety, rights, or property of Silica Broadband, our customers, employees, or the public; to detect or prevent fraud; or to enforce our terms of service
- ****Business transfers:**** in connection with a merger, acquisition, sale of assets, or similar corporate transaction
- ****With your consent:**** in any other circumstance where you have given us permission to share your information

As stated in Section 4, mobile phone numbers collected for SMS purposes and SMS opt-in consent data are ****never**** shared with third parties or affiliates for marketing or promotional purposes.

6. Data Security

We use reasonable administrative, technical, and physical safeguards designed to protect your personal information from unauthorized access, use, alteration, or disclosure. These include secure servers, encryption in transit, access controls, and employee training. However, no system is completely secure, and we cannot guarantee the absolute security of information transmitted over the internet or stored electronically.

7. Data Retention

We retain your personal information for as long as your account is active, as needed to provide services to you, and as required to comply with our legal obligations, resolve disputes, and enforce our agreements. When information is no longer needed, we securely delete or anonymize it.

8. Cookies and Tracking Technologies

Our website uses cookies and similar technologies to improve your browsing experience, analyze website traffic, and understand how visitors use our site. You can control cookies through your browser settings. Disabling cookies may affect the functionality of our website.

9. Your Privacy Rights

Depending on your state of residence, you may have certain rights regarding your personal information, including the right to:

- Access the personal information we hold about you
- Request correction of inaccurate information
- Request deletion of your personal information (subject to legal retention requirements)
- Opt out of certain marketing communications
- Opt out of the sale of personal information (Silica Broadband does not sell personal information)

To exercise these rights, please contact us using the information in Section 13. We will respond within the timeframe required by applicable law.

10. Children's Privacy

Our services are not directed to, and we do not knowingly collect personal information from, children under the age of 13. If we learn that we have collected personal information from a child under 13, we will promptly delete it. If you believe we may have collected information from a child under 13, please contact us.

11. Third-Party Links and Services

Our website and services may contain links to third-party websites or services. We are not responsible for the privacy practices of those third parties. We encourage you to review the privacy policies of any third-party services you use.

12. Changes to This Privacy Policy

We may update this Privacy Policy from time to time to reflect changes in our practices, technology, legal requirements, or other factors. When we make material changes, we will update the "Last Updated" date at the top of this policy and, where appropriate, provide additional notice (such as via email or a notice on our website). Your continued use of our services after the effective date of any changes constitutes your acceptance of the updated Privacy Policy.

13. Contact Us

If you have questions, concerns, or requests regarding this Privacy Policy or your personal information, please contact us:

****Davey Holdings LLC DBA Silica Broadband****
Attn: Privacy Officer
12921 W US Hwy 42
Prospect KY 40059

****Phone:**** 502-292-0090
****Email:**** support@silicabroadband.com
****Website:**** silicabroadband.com

This Privacy Policy is provided for informational purposes and should be reviewed by qualified legal counsel before publication to ensure compliance with all applicable federal, state, and local laws, including but not limited to the Telephone Consumer Protection Act (TCPA), CTIA messaging guidelines, FCC CPNI regulations, and applicable state privacy laws.