

# FAIR USE POLICY



## Fair Use Policy

- 1) NTD offers a number of plans that are covered by the Fair Use Policy.
- 2) NTD may vary the terms of the Fair Use Policy from time to time and the Customer must comply with the current version of the Fair Use Policy.
- 3) The Fair Use Policy is designed to protect the quality and integrity of NTD's network and applies to plans that incorporate 'included' calls as part of the plan.
- 4) Fair Use for "Included" Service Plans
  - a) Reasonable Business Use: Any of NTD Service Plans that offer 'included' calls are for reasonable business use of Customer only. Such use shall not include certain activities including, but not limited to, any of the following ("Reasonable Business Use"):
    - a) Autodialing, continuous or extensive call forwarding, use of virtual extensions for regular business use, continuous connectivity, fax broadcast, fax blasting, telemarketing (including without limitation charitable or political solicitation or polling), call centre operations, junk faxing, fax spamming, calling/faxing any person (through the use of distribution lists or otherwise) who has not given specific permission to be included in such a process or any other activity that would be inconsistent with reasonable business usage.
    - b) Any other use resulting in improper usage patterns, including but not limited to dialing patterns wherein the Customer's inbound or outbound minutes exceeds 80% of the aggregate usage and/or average minutes per seat are in excess of 90% of all NTD customers.
  - b) If NTD determines, in its sole discretion, that Customer is not using the 'included' Plans for Reasonable Business Use, NTD reserves the right to immediately-
    - (a) charge the credit card of Customer for the current per-minute rate for any usage determined to be outside of Reasonable Business Use and
    - (b) to terminate or modify the terms of the Product for that Customer.