8. **CUSTOMER SERVICE**

Customer service requirements are set forth in Exhibit E.

EXHIBIT E

CUSTOMER SERVICE STANDARDS

This Section sets forth the minimum customer service standards that the Franchisee must satisfy. In addition, and subject to the provisions of this Agreement, the Franchisee shall at all times satisfy any additional requirements established by applicable federal and state or regulation, as the same may be amended from time to time, including, without limitation, consumer protection laws.

I. DEFINITIONS

The County and the Franchisee agree that the following definitions shall govern the County's enforcement of and the Franchisee's obligations under the customer service standard requirements under this Exhibit E:

- *As Soon As Possible*: As used in 47 C.F.R. § 76.1603(b), means no sooner than thirty (30) days in advance of such change.

- *Customer Service Center*: As used in 47 C.F.R. § 76.309(c)(1)(v), means that the Franchisee must provide for the pick up or drop off of equipment in one of the following manners: (i) by having a Franchisee representative going to the Subscriber's residence, (ii) by using a pre-paid mailer, or (iii) by establishing a local business office in the County.

- *Customer Service Representative*: As used in 47 C.F.R. § 76.309(c)(1)(ii), means a live representative, an Automated Response Unit ("ARU"), or a Voice Response Unit ("VRU"). If an ARU or VRU is used, then the Franchisee must make every effort to assure that the device provides customer service similar to that provided by a qualified live representative.

- *Next Billing Cycle*: As used in 47 C.F.R. § 76.309(c)(3)(i)-(ii) and in this Agreement, means the Subscriber's next available billing cycle.

- *Resolution of the Request*: As used in 47 C.F.R. § 76.309(c)(3)(i)(A), means the Subscriber's Next Billing Cycle following determination by the Franchisee of the Subscriber's right to a refund.

- *Respond* (or *Begin Working On* as used in 47 C.F.R § 76.309(c)(2)(ii)): Franchisee's investigation of a Service Interruption by receiving a Subscriber call and placing the Subscribers service repair request into the Franchisee's automated repair response system and, if required, taking action.

- *Return of the Equipment*: As used in 47 C.F.R. § 76.309(c)(3)(i)(B), a Subscriber's equipment is considered returned when the Franchisee has accepted the condition of the equipment and billed for any outstanding charges, all of which shall be completed no later than the Subscriber's Next Billing Cycle.

- *Standard Installation*: Installations where the customer's premises are within two hundred (200) feet of the serving terminal, or the edge of the property, whichever is less, and where an ONT is already present.

- *System Malfunctions*: Service impacting event originating at the Franchisee's video hub offices or super-headend or a major fiber cut that would require the report of an unplanned outage in subsection 9.11.2.

II. CUSTOMER SERVICE STANDARDS

A. The Franchisee shall comply with the customer service standards set forth in 47 C.F.R. §§ 76.309(c), 76.1602, 76.1603, and 76.1619, as such standards may be amended from time to time.

B. Measurement of the standard in 47 C.F.R. § 76.309(c)(1)(ii) may include all calls received by the Franchisee at all call centers receiving calls from Subscribers, whether they are answered by a live representative, by an automated attendant, or abandoned after 30 seconds of call waiting.

C. In addition, no increase in rates or charges shall be implemented unless each Subscriber subject to the increase in rates and charges has been notified of the change at least sixty (60) days in advance of the change. In lieu of a Franchisee providing sixty (60) days written or electronic notice to each Subscriber subject to the increase, notification may be cablecast to Subscribers by a Franchisee in a manner approved by the Communications Administrator, but in the event a cablecast notice is provided to Subscribers, a Franchisee also shall give each Subscriber subject to the increase written notice of the increase no less than thirty (30) days before the increase is implemented. In addition, the Franchisee shall provide oral or written notification of any pending increases to rates and charges to any Person who requests Cable Service or becomes a Subscriber after any approval of increases to rates and charges but before the rate increase becomes effective.

D. The Franchisee shall employ an operator or maintain a telephone answering device twenty-four hours per day, each day of the year, to receive Subscriber complaints and answer inquiries during Normal Business Hours.

E. There shall be a location within the Franchise Area that shall be open and accessible to the public to make payments and to pick up or drop off equipment. In order to allow the Franchisee to efficiently pick up equipment and for Subscribers to easily drop off the Franchisee's equipment, the Franchisee may satisfy the foregoing pick up and drop off

requirement by having a Franchisee representative going to the Subscriber's residence, by using a pre-paid mailer, or by establishing a local business office in the County.

F. The Franchisee shall establish maintenance service capable of promptly locating and correcting System Malfunctions.

G. The Franchisee shall maintain a publicly-listed, local toll-free telephone number that shall be available to Subscribers to request service calls, twenty-four hours per day, each day of the year. Under Normal operating conditions, the Franchisee shall Respond not later than the next business day after a service call is received, and corrective action shall be completed as promptly as practicable. Appropriate records shall be made of service calls, showing when and what corrective action was completed.

H. If requested by a mobility-limited customer, the Franchisee shall arrange for pickup and/or replacement of converters or other Franchisee equipment at the Subscriber's address or by a satisfactory equivalent.

I. In the event that Franchisee fails to provide service to Subscribers for more than twenty-four hours, the Franchisee shall provide the affected Subscribers with a pro rata credit or rebate of the Subscriber's fees paid or payable, upon request by a Subscriber.

J. The Franchisee shall maintain a public file containing all notices provided to Subscribers under these customer service standards. The notices shall be placed promptly in the public file and maintained for at least one year from the date of the notice.

K. The Franchisee shall establish a clear procedure for resolving complaints filed by Subscribers. Complaints may be made orally or in writing, at the complainant's option.

L. The Franchisee shall provide an initial response to a complaint within five (5) days of its receipt and a final response within thirty (30) days after a written complaint is received. At the time of installation, upon request, and annually, the Franchisee shall provide all Subscribers the Communications Administrator's contact information.

M. The customer service standards set forth herein shall be in addition to the rights and remedies provided by the Virginia Consumer Protection Act of 1977, as amended.

N. The Franchisee shall, when practicable, schedule and conduct maintenance on the Cable System so that interruption of service is minimized and occurs during periods of minimum Subscriber use of the Cable System. The Franchisee shall provide reasonable prior notice to Subscribers and the County before interrupting service for planned maintenance or construction, except where such interruption is expected to be two hours or less in duration. Such notice shall be provided by methods reasonably calculated to give Subscribers actual notice of the planned interruption.