

# **Southwest Texas Telephone Company (SWTTC)**

## **Acceptable Use Policy for Asynchronous Digital Subscriber Line (ADSL)/Internet Customers**

### **Introduction**

When you open your SWTTC ADSL/Internet account, you become a part of two communities. First is the community formed by our network and our customers; the second community is the one made up of all networks and users connected to each other to form the Internet. The Internet Community is International in nature. Be aware that because of this, behavior deemed acceptable for the United States, could very well be in violation of laws in another country. Becoming a member of these communities gives you certain rights and privileges, but also imposes certain duties and responsibilities. SWTTC has established an Acceptable Use Policy in order to make these duties and responsibilities more clear. This document is intended to provide a general understanding of SWTTC's Acceptable Use Policy. The following factors guide the establishment and enforcement of SWTTC's usage policies:

- ◆ Ensure reliable service to our customers
- ◆ Ensure security and privacy of our systems and network, as well as the networks and systems of others
- ◆ Comply with existing laws
- ◆ Maintain our reputation as a responsible service provider
- ◆ Encourage responsible use of the Internet and discourage activities which reduce the usability and value of Internet services.
- ◆ Preserve the value of Internet resources as a conduit for free express and exchange of information
- ◆ Preserve the privacy and security of individual users

SWTTC intends to provide its customers access to everything the Internet has to offer. While SWTTC is firmly committed to the principles of free speech, certain activities are damaging to the resources of both SWTTC and the Internet and cannot be permitted under the guise of free speech. The resources of SWTTC and the Internet are limited, and abuse of these resources by one user has a negative impact on the entire community.

We do not routinely monitor the activity of accounts except for measurements of system utilization and the preparation of billing records. However, in our efforts to promote good citizenship within the Internet community, we will respond appropriately if we become aware of inappropriate use of our service.

If a SWTTC account is used to violate the Acceptable Use Policy, we reserve the right to terminate your service without notice. We prefer to advise customers of inappropriate behavior and any necessary corrective action. However, flagrant violations of the Acceptable Use Policy will result in immediate termination of service. Our failure to enforce this policy, for whatever reason, shall not be construed as a waiver of our right to do so at any time.

As a member of our network community, you must use your Internet access responsibly. If you have any questions regarding this policy please contact us at [contactus@swtexas.com](mailto:contactus@swtexas.com) or call (830-683-2111)

## **General Information**

Your SWTTC account provides you access to a vast collection of networks and services around the world such as the World Wide Web, electronic mail, and newsgroups. Your use of these services is subject to the following policy. Violations of this policy may result in termination of your account with or without notice in accordance with the Southwest Texas Telephone Company (SWTTC) Internet Access Service Agreement that you accepted at the time you created your account.

In general, you may NOT use your SWTTC account:

- ◆ In a manner which violates any law, regulation, treaty or tariff;
- ◆ In a manner which violates the rules, regulations and policies that you access through your SWTTC account;
- ◆ In a manner which is defamatory, fraudulent, indecent, offensive or deceptive;
- ◆ To threaten, harass, abuse or intimidate others;
- ◆ To damage the name or reputation of SWTTC, its parent, affiliates and subsidiaries;
- ◆ To break security on any computer network, or to access an account which does not belong to you; or
- ◆ In a manner which interferes with other customers' use and enjoyment of the services provided by SWTTC.

SWTTC reserves sole discretion to determine whether any use of the service is a violation of this policy. Guidelines for using your account follows. This information is only a guideline, and is not intended to be all-inclusive.

## **Electronic Mail**

Your SWTTC account gives you the ability to send and receive electronic mail. Misuse of electronic mail may result in termination of service. The following examples are non-exclusive and are provided for your guidance.

- ◆ You may not use your account to send unsolicited bulk or commercial messages (“spam”). This includes, but is not limited to, bulk mailing of commercial advertising, informational announcements, charity requests, petitions for signatures, and political or religious tracts. Such messages may only be sent to those who have explicitly requested it.
- ◆ You may not use your account to collect responses from unsolicited bulk or commercial e-mail sent from accounts with other providers.
- ◆ Forging, altering or removing electronic mail headers is prohibited.
- ◆ You may not use electronic mail to harass or intimidate others. Harassment, whether through language, frequency of messages, or of messages, is prohibited. Sending a single unwelcome message might be considered harassment. If a recipient asks to stop receiving email, you must not send that person any further messages.
- ◆ You may not forward or otherwise propagate chain letters, whether or not such messages solicit money or other items of value, and whether or not the recipient wishes to receive such mailings.
- ◆ SWTTC accounts may not be used to collect replies to messages sent from another Internet service provider if those messages violate this Acceptable Use Policy or the acceptable use policy of the other service provider.

## **Newsgroups**

Your SWTTC account gives you access to thousands of newsgroups. These newsgroups allow you to read and post messages on a variety of topics. Newsgroups may be moderated or unmoderated. Newsgroups may also have a charter or a FAQ that describes what subjects are appropriate for each newsgroup. Misuse of newsgroups may result in the termination of your service.

- ◆ SWTTC provides an uncensored newsfeed. As such, SWTTC does not control the content of the newsgroups available to you. SWTTC believes that decisions about which newsgroups and messages to read are best left to its customers. Screening software is available from third parties, and it is your responsibility to use such tools if desired. SWTTC is not responsible for the content of any newsgroup message, whether or not the message was posted by a SWTTC customer.
- ◆ Messages posted to newsgroups must comply with the written chart FAQ’s for those newsgroups. Advertisements, solicitations, or other commercial messages should be posted only in those newsgroups charters or FAQ’s explicitly permit them. You are responsible for determining the policies of a given newsgroup before posting to it. If you are unable to find a newsgroup’s policy regarding commercial messages you must assume that such messages are not welcome.
- ◆ You may not post or cross-post the same or substantially similar messages to more than 10 newsgroups. Continued cross posting can result in termination of service and the cancellation of the message.
- ◆ You may not post binary files to newsgroups not specifically named for that purpose.

- ◆ You may not post messages promoting pyramid schemes, “Make Money Fast” (MMF) schemes, chain letters, or other schemes to newsgroups. Doing so will result in immediate termination of service.
- ◆ You may not forge or remove header information. This includes attempting to circumvent the approval process for posting to a mode newsgroup.
- ◆ You may not solicit mail for any address other than your SWTTC ADSL/Internet Service account or service where doing so manifests intent to harass others.
- ◆ You may not post messages for the purpose of threatening, harassing or intimidating others.
- ◆ You may not post messages, which infringe on personal or property rights of others (privacy rights or copyrights, for example).
- ◆ You may not cancel messages other than your own, with the exception of official newsgroup moderators performing their duties.

SWTTC does not censor or control content posted to a newsgroup. As a user of our service, you are solely responsible for the content that you publish. SWTTC, upon receiving notification that certain posts violate this policy, or any state or federal law, or infringe on the trademarks or copyrights of another, reserves the right to remove such posts from our news server and to terminate your account.

## **Security**

You are responsible for any misuse of your account, even if the inappropriate activity was committed by a friend, family member, guest or employee. Therefore, you must take steps to ensure that others do not gain unauthorized access to your account. In addition, you may not use your account to breach security of another account or attempt to gain unauthorized access to another network or server.

- ◆ Your password provides access to your account. It is your responsibility to keep your password secure.
- ◆ Passwords must contain at least six characters, and should contain at least one number or symbol, and should not be based on any word found in the dictionary or on any personal information (name or birthdate, for example). Your password should not be the same as your userid.
- ◆ Sharing your password and account access with unauthorized users prohibited. You should take care to prevent others from using your account since you will be held responsible for such use.
- ◆ Attempting to obtain another user’s account password is strictly prohibited. You should take care to prevent others from using your account since you will be held responsible for such use.
- ◆ Attempting to obtain another user’s account password is strictly prohibited, and may result in termination of service.
- ◆ You must adopt adequate security measures to prevent or minimize unauthorized use of your account.

- ◆ You may not attempt to circumvent user authentication or security of host, network or account (“cracking”). This includes, but is not limited to accessing data not intended for you, logging into or making use of a server or account you are not expressly authorized to access, or prohibit the security of other networks. Use or distribution of tools designed for compromising security is prohibited. Examples of these tools include but are not limited to, password guessing programs, cracking tools or net probing tools.
- ◆ You may not attempt to interfere with service to any user, host, or network (“denial of service attacks”). This includes, but is not limited to, “flooding” of networks, deliberate attempts to overload a service, and attempts “crash” a host.
- ◆ Users who violate systems or network security may incur criminal or liability. SWTTC will cooperate fully with investigations of violations of systems or network security at other sites, including cooperating with enforcement authorities in the investigation of suspected criminal violations.

## **Network Performance**

SWTTC accounts operate on shared resources, Excessive use or abuse of these shared network resources by one customer may have a negative impact on all other customers. Misuse of network resources in a manner which impairs network performance is prohibited by this policy and may result in termination of your account.

- ◆ You are prohibited from excessive consumption of resources, including CPU time, memory, disk space and session time. You may not use resource-intensive programs, which negatively impact other customers, the performance of SWTTC systems or networks. SWTTC reserves the right to terminate or limit such activities.
- ◆ You may not establish more than one connection to our network from any account at any one time.
- ◆ You may not provide network services from your account (for example, you may not use your account to operate an ftp or a web server).
- ◆ Messages left on SWTTC’s mail servers for more than forty-five (45) days are subject to immediate deletion. Mailboxes under one megabyte total size will be exempt from the 45 day retention limit.
- ◆ You may not employ automated electronic or mechanical processes designed to defeat network inactivity time-outs. Such tools include, but are not limited to, use of an auto-dialer and repetitive pinging of a host.
- ◆ The Internet is not an infinite resource. If you are not actively using the Internet, please disconnect your modem...Be Considerate of Others

## **Internet Relay Chat**

Although SWTTC does not offer software or technical support for Internet Relay Chat (IRC), you may use your account to connect to IRC servers and networks maintained by third parties. Please remember that you are a guest when you make use of these

facilities. It is particularly important that you do not engage in activities which might interfere with other customers' access to IRC.

- ◆ You may not use IRC scripts or programs that interfere with or deny service to other users on any other server, host, network or channel.
- ◆ You may not engage in activities which harass other users. This includes but is not limited to, "flooding" (rapidly entering text with the intent to disrupt service), "flashing" (disrupting terminal emulation), "takeovers" (improper seizing and abuse of operator privileges), attempting to send private messages to those who do not wish to receive them, attempting to return to a channel after being banned from it, and other disruptive behaviors.
- ◆ You may not attempt to impersonate other users. The use of nicknames does not constitute impersonation.
- ◆ You may run "clones" (multiple simultaneous IRC connections) and "robots" only as permitted by the host IRC server.

## Illegal Activity

Any activity on our network that is a violation of any state or federal law is a violation of this policy and will result in immediate termination of service. Prohibited activities include, but are not limited to:

- ◆ Transmitting obscene materials
- ◆ Intentionally spreading or threatening to spread computer viruses
- ◆ Gaining or attempting to gain unauthorized access to any network, including SWTTC's private network infrastructure
- ◆ Accessing or attempting to access information not intended for you
- ◆ Transmitting pirated software
- ◆ Conducting or participating in illegal gambling
- ◆ Soliciting for pyramid and other illegal schemes.

## Commerce on the Internet

The Internet can be a valuable business tool when used properly. However, it can reflect poorly upon a business when used improperly. No matter what you hear, sending out unsolicited commercial email or spam is not the proper way to advertise your site. What it will do is cause hundreds of angry letters to you and the administrative personnel of SWTTC. It is also likely that your business and our network will be blacklisted and/or banned from accessing other sites. **This type of activity can cause harm to all users of our network and is grounds for immediate account termination.**