

Cox Internet Service Disclosures

June 3, 2020

Cox is committed to providing its customers with a high quality Internet access experience. The disclosure below explains the performance characteristics, commercial terms, and network practices for broadband Internet access services (“BIAS” or “Internet Services” or “Services”) provided by Cox. The disclosure may be changed from time to time without notice (with the date of the last update reflected above). The information provided in the disclosure is not a contract between Cox and its customers or any users of the Services provided by Cox, but is designed to provide you with information to understand our Services and make informed decisions regarding your choice of Internet Services. It also does not obligate Cox to provide any specific level of service or to maintain any level of service or network configuration, and creates no rights that are not already available to a customer or user by law or under any agreement with Cox. The information provided is applicable to residential Cox Internet service (Cox Internet) and small/medium business Cox Business Internet service (CBI) offered by Cox on a retail, mass-market basis.

A. Performance Characteristics:

A1. Service Description for Cox Internet and Cox Business Internet (CBI):

Cox’s wireline network used to provision the vast majority of Cox Internet and CBI services is what is commonly referred to as a hybrid fiber-coax network (“HFC”), with coaxial cable connecting each subscriber’s cable modem to an Optical Node, and fiber optic cables connecting the Optical Node, through distribution hubs, to the Cable Modem Termination System (“CMTS”), which is also known as a “data node.” The CMTSs are then connected to higher-level routers, which in turn are connected to Cox’s Internet backbone facilities. Our Internet technology is based on the Data Over Cable System Interface Specification (DOCSIS). DOCSIS is a shared access technology that continues to evolve where a population of users shares the available bandwidth. This allows Cox to take advantage of statistical multiplexing, a bandwidth sharing technique used to distribute bandwidth efficiently across the user population while providing a level of service designed to meet the needs of customers running the applications of their choice. Increasingly, Cox is deploying a Fiber to the Premises (“FTTP”) network architecture to residential and business locations throughout various parts of our service footprint.

Cox offers multiple residential Internet Service packages providing different maximum downstream and upstream speeds. In most of its service

Cox Policies

Site Policies

[Online Privacy Policy](#)

[Visitor Agreement](#)

[Cox Forums Terms & Conditions](#)

Residential Customers

[Residential Customer Service Agreement](#)

[Privacy Notice](#)

[California Consumer Privacy](#)

[Nevada Consumer Privacy](#)

[Annual Customer Notices](#)

[Credit Report Notice](#)

locations throughout the United States, Cox offers residential packages with downstream speeds of up to 940 Mbps. The most appropriate package for a particular customer will depend upon a variety of factors, including the types of real-time applications typically used and the number of users in the household.

Cox's network provisioning and engineering practices are designed to enable its customers to receive the speeds for the packages they are subscribed to. However, it is important to note that many factors beyond Cox's control can affect the actual speeds customers are able to receive to their devices, including:

- Capability of end user devices (computer, smartphone, tablet), including factors such as age, software and operating system versions, the presence of viruses and malware, and the number of simultaneous applications running.
- Home network (Wifi) connections, which may be slower than wired connections.
- Congestion on websites visited, including high demand by multiple simultaneous users.
- Fluctuations in latency within connecting networks outside of Cox's network, such as gaming servers.
- Capability of hardware used to connect to internet service (modems, routers, gateways, and associated firmware). Please see Certified Cox Internet Modem Devices section below for details.
- Force Majeure events such as natural disasters, national emergencies, or epidemics/pandemics.

Cox's architecture and related engineering standards are constantly evolving through a long-term, multiyear network upgrade transformation. As such, service types and speeds that Cox offers may vary by location throughout the duration of this transformation. However, there should be no discernable, persistent performance characteristic variations related to geography, where the same service types and speeds have been deployed..

A2. Actual Speeds:

The Federal Communications Commission ("FCC") has compiled nationwide network performance tests of various Internet Service Providers (ISPs), which include comparisons of actual speeds to advertised speeds. The tests have measured different timeframes for upload and download speeds. Two timeframes measured were (1) the average peak period 7 PM to 11 PM (Monday through Friday) and (2) an overall category of 24-hours (Monday through Sunday). Cox's most recent results validated the

[Service Agreement](#)

[Complete Care Terms & Conditions](#)

[Service Protection Plan Terms & Conditions](#)

[Billing and Payment Policies](#)

[Cox Elite Gamer Terms of Use](#)

[StraightUp Internet Customer Agreement](#)

[Residential Internet Service](#)

[Copyright Information](#)

[Acceptable Use Policy](#)

[Speeds and Data Plans](#)

[Tech Solutions Terms of Service](#)

performance of its network and its advertising as compared to actual performance.

Cox’s ratio of weighted median download speeds as a percentage of advertised speeds was 105.23%. Cox’s ratio of weighted median upload speeds as a percentage of advertised speeds was 104.45%. Based upon the ratio of actual download speed to advertised download speed for the 100 Mbps service tier, a typical 100 Mbps subscriber would expect to receive 105 Mbps download speed.

You may review the FCC’s most recent speed test results at the link provided below, including the results for Cox: <https://www.fcc.gov/reports-research/reports/measuring-broadband-america/measuring-fixed-broadband-eighth-report#block-menu-block-4>

A3. Latency:

The program utilized by the FCC to capture speed performance data also captures data on latency performance, which generally measures the round trip time it takes for a data packet to travel from one point to another in a network. The FCC program reflects aggregate median latency ranging from 21.38 milliseconds for the 24 hour period to 25.04 milliseconds for the peak period within the Cox network. These latency measurements do not typically have a perceptible impact for users.

The following table represents actual performance characteristic data as measured in the latest FCC report: the Eighth Measuring Broadband America Fixed Broadband Report (8th MBA Report).

Tier (Download/Upload Speeds in Mbps)	Sustained Weighted Average Download Speed (Mbps)	Median (Actual) Download Speed (Mbps)*	Sustained Weighted Average Upload Speed (Mbps)	Weighted Average Latency (millisec)
50/5	56.42	54.13	5.29	21.38
100/10	109.67	104.82	10.52	20.56
150/10	155.09	147.98	10.52	21.29

*As documented by the FCC in its 8th MBA Report, a sampling issue affecting a subset of test results understated Cox’s nationwide download speeds. Had this issue not occurred, all median (actual) download speeds

[WiFi Terms of Service](#)

[Residential Telephone Service](#)

[Telephone Modem Battery Policy](#)

[California Consumer Disaster Protections](#)

[Residential Video Service](#)

[Third-Party Receivers Policy](#)

[All Digital Plan Details](#)

[Residential Home Automation Service](#)

[Home Automation Terms and Conditions](#)

[Homelife End User License Agreement](#)

[California Residents](#)

[WARNING: CA Proposition 65](#)

presented in this table would have been higher.	
<p>The FCC program’s validated data statistical averages represented in the tables above can be located here. The actual download speeds are presented in Table 2 of the Measuring Fixed Broadband – Eighth Report located here.</p> <p>The FCC program did not measure all of the speed tiers offered by Cox, which change from time to time, but focused on speed tiers representing at least 5% of Cox’s overall customer base. Although all tier measurements are not presented, the FCC program results are representative of expected performance characteristics on tiers not measured.</p>	Business Customers
	Annual Privacy Notice
	Other Important Notices
<p>A4. Cox Wifi Hotspots:</p> <p>Eligible Cox Internet and CBI customers who enjoy our Internet Service at their home or office may also access Cox Wifi at one of several Cox or Cable Wifi hotspots. Customers of Cox’s StraightUp Internet Hotspot PassSM pay per use service may access Cox Wifi via secondary DOCSIS streams transmitted over Internet access gateways providing Cox Hotspots service. Cox Wifi hotspots access is provided on a “best efforts” basis. The performance experienced in accessing the Internet while connected to a hotspot will vary significantly from the performance experienced with a wireline connection and will vary among hotspot connections as well. These Wifi hotspots rely on unlicensed spectrum allocated by the FCC, and therefore are not protected from interference from other uses of the same spectrum.</p> <p>A5. Impact of Other Data Services (Non- Broadband Internet Access Services):</p> <p>Apart from the Internet Services it offers over the shared network described above, Cox offers other services using its network facilities, including Internet Protocol-based services such as Cox voice over IP telephone service and Cox IP-delivered cable video service. Cox voice service and in-home IP-delivered cable video service traffic receive special quality of service (QoS) treatment due primarily to the latency sensitivity of the service. Cox provides other services over the same network facilities that are managed separately from Cox broadband Internet Service, such as Cox Wifi Hotspots services partitioned on separate data streams. These separately managed services have no material impact on the overall availability of bandwidth capacity for Internet Services. To the extent Cox offers services, such as TV Everywhere video streaming and Cox home security and automation services, that are not managed within a closed network and traverse the Internet, such traffic is not distinguished from other Internet traffic and receives no special QoS treatment. Cox regularly monitors data usage, congestion and capacity to decide where additional capacity in the network is needed for the mix of services it provides.</p>	General Terms
	Cox Business Complete Care Terms of Service
	Cox Business Complete Care Android EULA
	Cox Business Complete Care iOS EULA
	DDoS Mitigation Service
	Business Data Services
	Copyright Information
	Acceptable Use Policy
	WiFi Terms of Service

<div><div><div>B. Commercial Terms:</div><div><div>B1. Cox Internet:</div><div><p>As stated above, Cox provides a range of wireline residential Internet Services. Cox Internet service is provided subject to Cox's Residential Customer Service Agreement (“Customer Service Agreement”) or Cox’s Residential StraightUp InternetSM Customer Agreement and Acceptable Use Policy (“AUP”). Prospective customers should read both the applicable agreement and AUP before purchasing Internet Services from Cox. The service agreements and the AUP may be changed at Cox’s discretion in accordance with the terms of the agreements. The current versions of the service agreements and AUP are posted on cox.com.</p><p>Information about residential pricing, data plans and fees, and additional network services can be found on the Speeds and Data Plans pages and Internet Pricing and Plans pages of cox.com. Information about the G1GABLASTSM residential service, available in certain Cox market locations, can be found on the Gigablast page. In addition to the pricing shown, residential customers may also incur local, state or federal taxes. These webpages may also include standard promotional rates being offered in Cox markets from time to time. Additionally, more targeted promotional offers for our Internet Services are available from time to time through cox.com and our other sales channels. Customers subscribing to Preferred 150 or higher Cox Internet packages have access to Cox Wifi hotspots, provided at no additional charge. Residential customers purchasing bundle packages consisting of Internet and other services may incur additional taxes, fees and surcharges related to the other services subscribed to in the specific bundle packages.</p><p>Cox residential Internet packages (excluding StraightUp InternetSM) include monthly data plans for different levels of data usage, tailored for the range of household uses. A Data Plan is the amount of data included in the monthly Internet package, measured in Gigabytes (GB) or Terabytes (TB). Data Usage is the amount of data, or bandwidth, used from all online activities through the cable modem, router or Wifi modem. Monthly data usage calculations are based on the customer’s individual monthly usage cycle and include the customers’ combined download and upload usage of Internet Service. Please visit https://www.cox.com/aboutus/policies/speeds-and-data-plans.html for information on specific Data Plans. Data usage from Non-BIAS data specialized services Cox provides customers through separate subscriptions do not count toward the Data Plan. Internet access through a Cox Wifi hotspot does not currently count toward the Data Plan.</p><p>Cox provides customers with tools to monitor their data usage. Cox provides a Data Usage Meter to monitor actual data usage. Both Cox and an independent third party, Netforecast, have tested the Data Usage Meter for accuracy. The Netforecast report can be found here. Cox also provides</p></div></div></div></div>	Business Voice Services	
	Customer Telephone Agreement	
	California Teleconnect Fund Program	
	California Consumer Disaster Protections	
	Business Security Solutions	
	End User License Agreement - Android	
	End User License Agreement - iOS	
	Operations Policies	
	Internet Service Disclosures	
	Procedure for Making a Copyright Infringement Claim	
	Law	

a [Data Usage Calculator](#) for customers to estimate the amount of data usage in their household based upon the activities of their household users.

[Enforcement
and Subpoenas
Information](#)

Cox does not adjust the speed or quality of Internet service if the Data Plan is exceeded. Cox has implemented in most areas a plan that charges overage fees after a customer exceeds the monthly data included in their Data Plan. Customers are notified by email and browser alert when they approach, meet and exceed their Data Plan. Unused data does not carry over from month to month, and is not prorated. For additional details on Data Plans, please see [the Data Usage learning site](#).

[Leased Access
Information](#)

Cox's StraightUp InternetSM Service is a pay-as-you-go monthly Internet Service with an all-in fixed price per month not subject to Cox's data usage billing policies. Please go [here](#) for details.

B2. Cox Business Internet (CBI):

Cox also provides a range of wireline business Internet Services. CBI customers are bound by the terms of the Commercial Service Agreement (CSA) and [Cox Business Acceptable Use Policy](#). The CSA and AUP may be changed at Cox's discretion in accordance with their terms. Cox Business offers many pricing options with multiple term choices. The pricing shown on the webpage referenced below reflects a popular term agreement option for CBI Service. Other pricing options are available based on term, volume and other services bundled with the CBI Service. In addition to the pricing shown, CBI customers may also incur local, state or federal taxes. Contact Cox Business for additional CBI pricing options. Business customers purchasing bundle packages consisting of CBI and other services may incur additional taxes, fees and surcharges related to the other services subscribed to in the specific bundle packages.

[See Cox Business Internet pricing and speed information](#)

B3. Early Termination Fees

Cox Internet Customers – Residential Cox Internet customers who are under a term Service Agreement ("Service Agreement") may be required to pay an Early Termination Fee (ETF) if Cox Internet service is cancelled or otherwise disconnected after 30 days but before the end of the Service Agreement term. Residential customers may view their Service Agreement, which includes information on the application and amount of the ETF, by clicking the link <https://www.cox.com/aboutus/policies/service-agreement-24.html> to access the Service Agreement.

CBI Customers – Cox Business Internet customers may terminate service before the end of the term of the contract (Term) selected provided, however, if a customer terminates before the end of the Term (except for

breach by Cox), or Cox terminates any Service for the customer's breach of the CSA or the AUP, the customer will be subject to termination liability equal to the nonrecurring charges (if unpaid) and 100% of the monthly recurring charges for the terminated Services multiplied by the number of full months remaining in the Term.

B4. Privacy

Cox protects your privacy throughout the process of providing you service, billing, and customer support. Cox's Services are provided subject to Cox's Privacy Policy for broadband Internet service, referenced in the links below. The privacy policy may change as provided by its terms and conditions.

[Your Privacy Rights as a Residential Cox Customer](#)

[Your Privacy Rights as a Cox Business Customer](#)

B5. Contact Us

If you have a complaint or question regarding your Cox Internet Service, you may contact us using the information found on the following web page. You will need to select the market in which your Internet Services are provided.

[Residential Customers](#)

[Business Customers](#)

C. Network Practices:

C1. The following describes Cox's network practices as of the date of this disclosure; it will be updated from time to time as Cox's practices change. Cox may take any appropriate measures, whether or not they are described below, in response to extraordinary levels of usage, denial of service attacks, or other exigent circumstances that have a significant effect on our customers' ability to use the Services or Cox's ability to provide the Services.

Cox is committed to the ongoing management of its network to improve its service offerings, protect customers, and create new service and feature enhancements for its customers. Cox does not shape, block or throttle Internet traffic or engage in other network practices based on the particular online content, protocols or applications a customer uses or by a customer's use of the network. Cox uses other measures to ensure the best overall experience for our Cox Internet customers, including, without limitation: rate limiting of email (as set forth in our email policies), email storage limits (including deletion of dormant or unchecked email), rejection or removal of "spam" or otherwise unsolicited bulk email. Cox may also

employ other means to protect customers, children, and its network, including blocking access to child pornography sites (based upon lists of sites provided by a third party and an international police agency), and security measures (including identification and blocking of botnets, viruses, phishing sites, malware, and certain ports as set forth below).

C2. Port Blocking:

In order to protect you, the network and upstream bandwidth availability, and the rest of the Internet, Cox blocks or restricts certain ports as described on this web page:

<https://www.cox.com/residential/support/internet-ports-blocked-or-restricted-by-cox.html>

C3. Congestion:

There is no typical frequency or location of congestion, although congestion is more likely to occur during peak use hours in the evening. A major news event at any time of the day which results in many customers streaming video of the event can also cause congestion. At an individual node level, in rare circumstances, multiple users of heavy bandwidth applications (e.g. households running multiple instances of concurrent video streaming or uploading), may temporarily reduce the bandwidth available to all users on the same node. At times of congestion, standard network algorithms may be employed to ensure that available bandwidth is equitably allocated to competing users. Cox regularly monitors data usage, congestion and capacity to decide where additional capacity in the network is needed. In exceptional circumstances due to unforeseen and dramatic increases in traffic over a short period of time, Cox may take reasonable measures on impacted nodes on a temporary basis to alleviate congestion until network capacity can be increased to ensure consistent good performance for all users.

C4. Network and Customer Security Protection:

Cox Internet service performs certain actions to protect your personal security and also suggests other actions that will enhance your personal security. These actions and suggestions are described on this web page: <https://www.cox.com/aboutus/policies/annual-privacy-notice.html#security>

C5. Certified Cox Internet Modem Devices

To view a list of cable modems and supported home networking equipment that have been reviewed and certified for use on the Cox network. refer to:

<https://www.cox.com/aboutus/policies/internet-service-disclosures.html>

<https://www.cox.com/residential/support/cox-certified-cable-modems.html>

Cox certifies devices for connection to its network to ensure that they will meet Cox requirements and provide the services as intended. Our certification process includes extensive lab testing by our Engineering teams. Testing is performed on the device software and hardware to assess network operability and compliance with Cox service requirements, working with vendors to have them update software/firmware to ensure that devices work as desired on the Cox network. As of 2020, the minimum DOCSIS version for new device installations and certifications is DOCSIS 3.0, with DOCSIS 3.1 devices being strongly recommended for all service tiers.

Common Tasks

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