

Northwinds Hosted Solutions' Toll Fraud Policy

This Toll Fraud policy defines toll fraud and specifies actions the Customer and Northwinds will take to address toll fraud.

The Customer is responsible for payment of all charges for services furnished to the Customer. Absent any negligent or wrongful act by Northwinds, this responsibility is not changed, by virtue of any use or misuse of the Customer's service to Customer-provided systems, equipments, or facilities undertaken by the Customer's employees or other members of the public.

Remote Toll Fraud

Remote Toll Fraud is defined as:

1. Unauthorized outbound calls to international locations (including all international locations that utilize the North American Dialing Plan) placed via remote accessing of the Customer's PBX or single electronic key system, where such equipment is located on the Customer's premises.
2. Unauthorized use of the Northwinds domestic toll free inbound services. Remote Toll Fraud does not include any calls placed by means of 1010XXX calls, calls placed by means of operator services, calls accessing the network by dialing 0- or 0+ for network access, or 800/900 pay per call traffic.

Compliance

Customers complying with the following provisions will be eligible to receive a credit for Remote Toll Fraud usage charges.

1. Customer will notify Saddleback of suspected Remote Toll Fraud by calling the Northwinds Customer Care Center.
2. Customers must identify all alleged Remote Toll Fraud usage charges in writing to Northwinds within 90 days after the date of the Northwinds invoice that contains the usage charges in question.
3. Customer will notify Northwinds in writing within 60 days of termination of the Remote Toll Fraud incident, identifying to Northwinds in such notice (a) the means by which such fraud occurred, if known, and (b) the changes made to the CPE in question to stop Remote Toll Fraud.

Fraud Credits

Northwinds will credit up to the first 35%, per incident, in Remote Toll Fraud usage charges for calls that commence prior to the Customer notifying Northwinds. The Customer is liable for all Remote Toll Fraud usage charges incurred after Customer notifies Northwinds.

Northwinds will not issue credits for invoiced charges for fraudulent use resulting from the negligent or willful acts of the customer or an authorized user of the customer's service