

The undersigned, hereinafter called Applicant, hereby applies for service and/or membership in Etex Telephone Cooperative, Inc., or Etex Telecom hereinafter called Etex, for the purpose of furnishing telecommunications services, upon the following terms and conditions:

- In accordance with the by-laws of the Cooperative, it being expressly understood that all amounts paid by Applicant in excess of operating costs and expenses of the Cooperative are furnished by him as capital and he shall be credited with the capital so furnished as provided in the by-laws. (Cooperative only)
- The Applicant will and does hereby grant to the Etex a right-of-way easement to construct, operate and maintain a telephone line or system on the land described above and in or upon all streets, roads or highways abutting said land.
- The Applicant will comply with and be bound by the provisions of the charter and by-laws of the Cooperative, and such rules and regulations as may from time to time be adopted by the Cooperative. (Cooperative only)
- The Applicant, by becoming a subscriber of Etex Telecom or becoming a member of Etex Telephone Cooperative assumes no personal liability or responsibility for any debts or liabilities of Etex, and it is expressly understood that his private property is exempt from execution for any such debts or liabilities.
- The acceptance of this application by Etex shall constitute an agreement between the Applicant and Etex, and shall continue in force for one year from the date service is made available by Etex to the Applicant, and thereafter until canceled by at least 30 days written notice given by either party to the other.

Act of God Liability

Waiver The Company {Etex} shall not be liable for any interruption, failure or degradation of service due in whole or part to causes beyond its control, including, but not limited to: (1) act of God, fires, lightning, flood, or other catastrophes; (2) any law, order, regulation, directive, action or request of any instrumentality of the United States Government, or of any foreign, state or local government; (3) any national emergency, insurrection, riot, war, strike or labor difficulty; (4) any act or omission by any unrelated carrier or other entity affecting the facilities or equipment over which the Company's services are provided; (5) any negligence by the Customer or defects or failures of the Customer's equipment; and (6) any negligent acts or omissions of third parties.

Contractual Provisions to Mitigate Illegal Robocalls

As an Etex customer, it is forbidden to use Etex's services for unlawful purposes such as originating and/or otherwise transmitting calls that violate laws that restrict robocalls or other telemarketing calls, including the federal Telephone Consumer Protection Act ("TCPA") and/or the Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act ("TRACED Act") and/or the rules promulgated pursuant to these statutes. Etex may, at its sole discretion, suspend or terminate your service immediately, among other remedies for violations of the law. To become more familiar with the TCPA and TRACED Act, please see the following links:

<https://www.fcc.gov/sites/default/files/tcpa-rules.pdf>

<https://www.fcc.gov/TRACEDAct>

Do-Not-Call Solicitor Notification

As you are likely aware, the Federal Communications Commission ("FCC") and Federal Trade Commission ("FTC") have established a national Do-Not-Call Registry. As part of the do-not-call initiative, the FCC requires us to notify customers who use our service for making telephone solicitations (telemarketing calls) regarding the national Do-Not-Call rules and regulations. If you are a company, individual, or other entity that makes telemarketing calls, it is very important that you familiarize yourself with the operations of the national Do-Not-Call Registry and the rules requiring checking of the national Do-Not-Call Registry as part of making telemarketing calls. Unless you fall under one of the exceptions established in the FCC/FTC rules (such as the exception for telemarketing by charitable organizations or for prior business relationships), you may not make telemarketing calls to numbers included in the national Do-Not-Call Registry. Before you rely on one of the exceptions, you should consult the rules. For information about the regulations, you may visit the national Do-Not-Call Registry at www.donotcall.gov. You can find the FCC and FTC rules governing telemarketing and telephone solicitation, at 47 C.F.R. § 64.1200 and 16 C.F.R. Part 310, respectively.