



Fair Access Policy

Our goal is to give each of our subscribers the fastest service possible at the lowest possible price. We are always striving to develop programs and policies that help make that possible. Our Fair Access Policy is designed to impact the fewest subscribers while helping ensure the best speeds for the vast majority of our subscriber.

DISH estimates that a small percent of subscribers account for a disproportionate share of data usage on the Internet access network powered by ViaSat. To ensure that all subscribers have equitable access to the network, DISH has implemented a Fair Access Policy (FAP). DISH sets usage thresholds on the amount of data you can upload and download within stated time periods. If you exceed these thresholds, DISH will temporarily limit the speed at which you can send and receive data over the Internet access network. You will still be able to use the Internet access service but your speed will be slower. In cases of extreme and continued violation of the FAP limitations, your service may be suspended. DISH may use other traffic management and prioritization tools to help ensure equitable access to the network for all subscribers. Your Internet access is not guaranteed and is subject to this FAP.

Based on an analysis of typical subscribers, we have set a rolling 30-day limit on data usage per subscriber, called a Usage Threshold. As shown in the table below, this threshold varies based on the service plan you selected. For each service plan, the Usage Thresholds are significantly above the amount of data that is used by a typical subscriber. Every day, we measure your upload and download data usage (Actual Usage) to determine if your total Actual Usage, as aggregated over the previous 30 days (Usage Total), exceeds the Usage Threshold for the service plan that you selected. At any time, you can see your Usage Total versus your monthly Usage Threshold under "Manage My Service" located on www.dishmail.net.

DISH will notify you via your contact email address if your Usage Total reaches 80% or more of the Usage Threshold. If at any time your Usage Total is above the Usage Threshold, we will reduce your access speeds, typically to 128 kbps in the downstream (from the Internet to you) and 28 kbps in the upstream (from you to the Internet) until your Usage Total is 70% or less than the Usage Threshold. Once your Usage Total reaches this level, your access speeds will be restored to the original speed levels by the next day.

You are likely to avoid any limitations imposed by the FAP if your use is typical of the majority of Internet users and consists primarily of Web surfing and a reasonable amount of downloading. The table below shows the monthly Usage Thresholds for each plan. These limits specify the amount of data that you can upload and download before your access speed is reduced. Please note that your Usage Total is far more likely to exceed the Usage Thresholds below if you use peer-to-peer file sharing programs, you use a webcam or you download full length movies, large quantities of music files, full software applications or similar high-bandwidth activities.

DISH FAP Monthly Usage Thresholds

Package	Silver	Gold	Platinum
Upload Threshold (MB) ¹	2,300	3,000	5,000
Download Threshold (MB) ²	7,500	12,000	17,000

¹Upload Threshold is the volume of data that can be uploaded during the previous 30 days before the Fair Access Policy may restrict the user's speeds.

²Download Threshold is the volume of data that can be downloaded during the previous 30 days before the Fair Access Policy may restrict the user's speeds.

These terms and conditions state important requirements regarding your use of DISH's Internet service and your relationship with DISH. You should read them carefully as they contain important information regarding your rights and ours. If you do not agree to these terms and conditions, you may not use the service and, subject to the terms of your Subscriber Agreement, you must terminate your service immediately.

DISH may revise this Fair Access Policy from time to time without notice by posting a new version of this document on legal.dishmail.net or any successor URL(s). All revised copies of the Policy are effective immediately upon posting. Accordingly, subscribers and users of DISH's Internet service should regularly visit these web sites.