

NUMBERING POLICY

Last Updated: November 29, 2021

Use of voice and/or facsimile services provided by Smart City is subject to this Numbering Policy. This Numbering Policy is incorporated into and made a part of the Agreement. Customer may obtain new numbers from Smart City for use with the Services, or may port existing numbers, subject to the terms below.

1. Number Availability

Smart City makes available phone numbers for use with voice and facsimile services, which Customer may select for assignment to the Customer's Account. Smart City's listing of a number as available may be erroneous and does not constitute a representation or guarantee that such number is actually available for such assignment. In the event a chosen number is not actually available, Smart City may remove such number from a Customer Account.

2. Number Porting

A. Number Port-In Request Procedures

Customer must keep its existing service(s) active in order to port a phone number to Smart City. In order to request the porting of a telephone or facsimile number into a Customer Account, the Account Administrator for the Customer Account into which you wish the telephone or facsimile number to be ported, must contact Smart City's local Smart City representatives utilizing the local published contact information and comply with their instructions. Porting requests are processed between the hours of 8am – 5pm EST, Monday-Friday. After-Hours porting requests will be processed the following business day, in accordance with industry practice.

B. The Number Porting Process.

In order to request the porting out to another services provider of a telephone or facsimile number currently assigned to a Customer Account, you must follow the instructions specified by that services provider and must provide all information and cooperation requested by the relevant other services providers, Smart City, or any other relevant third party. The porting of phone numbers into or out of a Customer Account requires Customer's provision of specific and detailed information to Smart City and/or other service providers, and procedures imposed by other service providers or Smart City in order to comply with law and industry standards. Therefore, the completion of any number port request may depend on factors outside of Smart City's control, including delays caused by Customer and/or other service providers. Port requests canceled by the Customer may be subject to assessment by Smart City of cancellation fees to the Customer. If a Firm Order Confirmation ("FOC") date has been assigned, each port request canceled by a Customer will be assessed a \$5.00 fee per number by Smart City. If a FOC date has been assigned, and the cancellation of the port request is requested by Customer within 48 hours of the FOC date, a \$75.00 fee per number will be assessed to the Customer by Smart City. If a FOC date has not been assigned, there will be no cancellation fee assessed.

C. Unauthorized Port Outs

Smart City is required by law to comply with any valid porting request. Phone numbers may be ported out from a Customer Account due to acts or omissions of third parties, and it may be difficult or impossible for Smart City to: (i) prevent such port-outs; (ii) retrieve numbers ported out of a Customer Account; or (iii) port such numbers back into a Customer Account. Smart City has no responsibility or liability due to such port-outs.

D. Accurate Porting Information

Customer represents and warrants that all information provided in connection with any request to port in or port out numbers to or from the Smart City Services (including without limitation any information or representations in any Letter of Agency) by Customer or any party acting on its behalf or direction will be true, accurate, and up to-date.

E. Customer Compliance with Porting Laws

The porting of numbers is subject to telecommunications and other Laws and may be subject to third-party terms and conditions. Customer, and/or any party acting on Customer's behalf, shall not: (i) violate any applicable Law or engage in any fraudulent or deceptive conduct in its porting-related requests or activities; (ii) engage in or facilitate "slamming" or the porting out of any telephone or facsimile number or change or attempt to change any party's telephone service provider without first obtaining the proper, requisite consents and authorizations; or (iii) violate contractual or other obligations to service providers or other third parties.

F. Release of Numbers

In the event of Customer Account termination or cancellation, all telephone numbers associated with the Customer Account which have not previously been ported to another provider may be released. The cancellation of individual Digital Lines may result in the release of the associated numbers if those numbers have not previously been ported to another provider. Customer is solely responsible for working with its new third-party provider to port out any numbers prior to termination or cancellation of Customer's Account or Services, or any individual line.

3. Number Publication by Customer

All new number assignments are provisional until verified by Smart City and confirmed by Customer. Customer shall not publicize, list, or communicate any number that assigned to the Customer Account, or purchase or invest in any materials or media reflecting any such number unless and until Customer has confirmed that such number is active and functioning as desired. Acceptable methods of confirmation include test calling such number from a non-Smart City service plan and verifying that the fees and charges that will be incurred in connection with use of such number(s) are acceptable to Customer.