TKS easyConnect MAX Bundle

Specifications

With the service TKS easyConnect MAX Bundle TKS Telepost Kabel-Service GmbH ("TKS") respective TKS on behalf of the Army & Air Force Exchange Service ("The Exchange"), Dallas, Texas 75201, United States, phone +1-214-312-3300, www.shopmyexchange.com/ shall provide the customer:

- a standard cable internet access with the highest possible technically realizable bandwidth of max. 1 Gbps for cable connections under the existing technical and operational capabilities.
- the ISP service TKSSurf! including a data flat rate for unlimited data transfer in accordance with the "Fair Use Policy",
- a TKS easyConnect Global phone line,

  Providing a calling flat rate for calls made to certain countries (landlines and/or mobile), the myTKS App, and Internet flat rate; all according to the fair use policy. For details refer to TKS easyConnect price list.

- the option of using a voice mailbox (Sprachbox) free of charge.
- TKS easyTV Basic service usable via the easyTV App, PC-Client, Amazon Fire TV device, Apple TV device & an optional TKS set-top box (STB).

There is no entitlement of claim if the customer profits from the usage of free services not subject of the service specifications. With a possible adjustment of performance neither entitlement of reduction, reimbursement or compensation nor the right to terminate with significant cause exists for the customer.

1. Standard services

1.1 TKS Telephone Service

TKS provides the customer a telephone connection on basis of a cable access. There is a Homespot modem pre-installed in all on-base locations. The Homespot Modem is property of TKS.

With the activation of the connection TKS assigns a telephone number to the customer in a network area assigned by the Federal Network Agency (Bundesnetzagentur). This number is a geographically telephone number.

The transfer of existing external telephone numbers (import from telephone number) to the TKS network, as well as the transfer of TKS telephone numbers to another provider (export from telephone number) is possible. Establishing call connections via other telephone providers is neither possible temporarily (Call by Call) nor via permanent preselection.

The operable availability of the internet and telephone access takes place over the TKS Homespot the connection is based on a basic cable access in the customer's accommodation.

1.2 Telephone service connection from the TKS

TKS provides self-dialled connections to national and international destinations. The TKS easyConnect price list contains a list of available destinations as well as the applicable connection rates.

Charge free services, included budgets, and flat rates do not include premium rate services, personal numbers, value-added service, service numbers, shared-cost numbers, premium billing numbers, maritime services, and satellite connections.

Prices for connections to other countries of destination remain unchanged and can be referred to on the price list TKS easyConnect.

As a result of changes on the telecommunications market the purchasing conditions for connection charges may vary. In these cases, TKS reserves their right to adjust the country list according to the new conditions. The adjustment to the country list does not affect existing customers.

1.3 Telephone line included options
TKS easyConnect Global:
For details refer to TKS easyConnect MAX Bundle price list.

1.4 myTKS App
The easyConnect MAX Bundle landline number can be used for incoming and outgoing calls over a mobile device by using the myTKS App provided that the customer has an activated TKS easyConnect MAX Bundle contract.
The myTKS App is offered for Android devices and Apple iPhones and can be downloaded free of charge in the respective App stores.
The myTKS App can be used over Wi-Fi or mobile data.
TKS is not liable for data volume used over the mobile device by using the myTKS App without a Wi-Fi connection or for all mobile connections made without using the myTKS App. This also applies for roaming.

1.4.1 myTKS App Login Data
The service can be used via App on one mobile device per contract with the login data provided over the registration of a myTKS account. The registration for myTKS is conducted over the TKS web portal: tkscable.com.
The username and password from the myTKS account is the login data for the myTKS App.
The user will be prompted to select one of their App relevant contracts for pairing after login. An automatic pairing verification will take place after the contract selection has been made. The use of more than one mobile device per contract is not possible.
Pairing of a new / different device to a contract is possible.
If the contract is cancelled or terminated the use of the myTKS App will be discontinued.

1.4.2 myTKS App permitted hardware:
To use the myTKS App only Smartphones are permitted.

The prerequisites are:

Smartphones with the following operating systems:

- Android (Version 5.1 or higher)
- Apple iOS (Version 10.3 or higher)

1.4.3 Roaming with the myTKS App
The myTKS App roaming usage is permitted.
Data volume deductions may apply when the myTKS App is not used over Wi-Fi.
Roaming costs for data usage may be charged if no option is booked.
If a data option is booked for roaming the included data option will also be used for the myTKS App when not connected over Wi-Fi.

1.4.4 Emergency Calls
Emergency calls can only be placed via an existing GSM connection. If the customer doesn't have any signal the call will not be possible. Emergency calls via Wi-Fi calling are not possible.

1.5 Fair Use Policy
The fair use policy permits a maximum total talk time of 20,000 min per month. The 20,000 min per month is a total talk time of calls to landlines and mobile connections (Global Flat) and also includes the outgoing calls with the usage of the myTKS App over a mobile device. After 4 hours of continuous use the connection will automatically be disconnected. Exceeding the fair use policy budget:

TKS easyConnect Global

The first time the customer exceeds the fair use budget they will be informed and warned by TKS.

- If the customer exceeds the fair use budget the second time in the following month they will be informed that starting at the next month they will be charged for all connections exceeding the fair use budget per standard calling rates (refer to TKS easyConnect MAX Bundle price list).

1.6 Standard services features

1.6.1 Call Number Transmission

The call number of the access is transmitted for all outgoing calls unless customer requests permanent suppression of call number transmission. If the service feature call number transmission is activated, customer has the option to suppress transmission of the call number for individual calls. The feature suppression of call number is not possible for emergency calls to police and fire department.

1.6.2 Calling Line Identification Presentation (CLIP)

The call number of incoming phone calls is transmitted and shown on the customer's display unless call number transmission is suppressed.

1.6.3 Voicemail Box

Voicemail Box (virtual answering machine) is provided to the customer free of charge with the activation of TKS easyConnect MAX Bundle, the service specification of the provided service is described in the „Voicemail-Box specifications".

1.6.4 Call Waiting

During an existing voice call additional calls are signalled by a tone. The calling party's number may be displayed. The waiting call can be accepted additionally – alternating between lines is possible. Customers can request permanent deactivation of the call waiting feature.

1.6.5 Inquiry / Alternating between lines

Two connections may be alternately used from one telephone access, without having to intermediately disconnect a connection.

1.6.6 Speed Dialing

It is possible to enter up to 8 speed dialling destinations which can be activated by pushing a key.

1.6.7 Cost Control

In order to provide protection against very high invoices, TKS observes mechanically the originated call charges of every connection. With approaching the standard fixed limit, TKS will inform with every call setup the status. To protect the customer the connection will be blocked for outgoing calls after the second fixed limit has been reached. It is further possible to make emergency calls and calls to the customer service center the TKS. On customer request adjustments can be made to the limit by which the customer is warned and/or blocked. Within the first 3 months increasing in the limit can only be granted after a pre-payment has been made.

1.7 Internet Access

1.7.1 Internet Access TKSSurf!

With TKS easyConnect MAX Bundle the TKS provides access to the worldwide internet by means of an assigned dynamic IP address and a flat rate for data transfer within regards to the Fair Use Policy. TKS reserves their right to charge an additional fee for usage and if necessary block the internet access or even terminate, in cases of repetitively disregarding of the Fair Use Policy (refer to www.tkscable.com/terms/).

1.7.2 Rate of transmission

The cable connection with a transmission rate of 1 Gbps on downstream and an upstream of 50 Mbps representing the upper limit and cannot be guaranteed.
The attainable speed depends, apart from the technical conditions at the location, also on the network utilization of the internet backbone.
The transmission speed only refers to the direct Internet access. Transmission speed can be affected with simultaneous usage of the telephone service and internet access.
Bottlenecks within the Internet itself, which may lead to reduced transmission speeds, cannot be influenced by TKS.

1.7.3 Internet speed downgrade

Change to a lower bandwidth is not possible in form of a downgrade. Change to a lower bandwidth can only be processed with cancelling the present service (normal cancellation process applies) and reapplying for service (activation fee and interruption in service applies).

1.7.4 Authentication

With the realization of an on-base TKS easyConnect MAX Bundle access via basic cable connection the configuration setting will be done automatically with the contract activation. There is no manual configuration needed by the customer and there is no manual configuration possible.
TKS offers support for the setup and later for any problems with the service for the Homespot provided through TKS. TKS reserves their right to charge for support when the problems were caused by inappropriate use and/or incorrect setup of the internet access caused by the customer.

2. Installation of the access

TKS easyConnect via basic cable connection
TKS provides a cable connection with the activation of a TKS easyConnect MAX.Bundle. The appropriate devices are pre-installed in the customer's home or are provided by the technician with the installation of the access.
Activation of the MTA for fast Internet access is performed via the preset and unchangeable 12-digit MAC address (Format: xx:xx:xx:xx:xx:xx).

3. Availability

The average availability of TKS easyConnect MAX Bundle connection is 97.0 %. After a 24-hour continuous utilization period the internet connection is disrupted for technical reasons. The reconnection can take place immediately for another 24-hours continuous utilization.

4. Additional specifications

Within the framework of existing technical and operational possibilities TKS may provide additional specifications upon request. Such specifications are subject to separate charges which are based on the currently valid price list at the time when the specifications are ordered.

4.1 Additional specification for TKS telephone access

The appropriate prices for additional options may be found in the price list for the TKS easyConnect MAX Bundle.

5. TKS easyTV

The easyTV basic is included in the easyConnect MAX Bundle and contains free of charge the Flex Option feature (Cloud DVR [Network Personal Video Recorder (NPVR)], Replay On Demand, Start Over, and Timeshift), the capability of Amazon Fire TV usage and the service called easyTV Mobile.

5.1 TKS easyTV Mobile service (easyTV App & PC-Client)

The easyTV Mobile service is included with the TKS easyConnect MAX Bundle service. It provides the capability to receive the TKS TV program package via a mobile device or via PC devices over the TKS easyTV App and PC-Client. The easyTV App can also be used on other streaming devices for example:

Amazon fire TV or Apple TV. Registration and login is necessary to access the service. Included in the service is one stream. For streaming simultaneously, the fee-based Family Option is required.

The provision of terminal equipment and the adequate internet connection is up to the user. According to which internet connection is being used additional costs for streaming may occur.

5.2 TKS easyTV App & PC-Client

The easyTV Mobile service consists of the easyTV App and PC-Client, which are all included components of this contract.

The "easyTV App" as well as the PC Client offers access to the resp. TKS easyTV service via Amazon Fire TV device, Apple TV device, a mobile device resp. via PC.

5.2.1 To use the easyTV App the following devices are permitted: Amazon Fire TV device, Apple TV device, Smartphones and Tablet PC.

5.2.2

The prerequisites are:

a) Smartphones with the following operating systems
    Android (Version 4.0 or higher)
    Apple iOS (Version 6.1 or higher)

b) Tablet PCs with the following operating Systems
    Android (Version 4.0 or higher)
    Apple iOS (Version 6.1 or higher)

The PC Client may be used with any PC and requires one of the following applications:

c) Internet Explorer
    Safari Browser

Also other browsers may work, but cannot be guaranteed.

Devices applicable for the easyTV Mobile service must be registered by TKS. Up to a maximum of five devices can be registered at the same time. Registration is done automatically by the first log-in with the respective device. The list of registered devices can be reset within certain time intervals.

The use of the service on a device precludes the simultaneous use on another device. TKS can exchange the authorized devices at any time resp. the number of authorized devices increase or decrease. Further information about the registration of devices and the use of this service can be found on the TKS website www.tkscable.com.

The easyConnect MAX Bundle provides reception of easyTV Basic over a STB and one streaming device. For streaming simultaneously, TKS offers the fee-based Family Option (refer to 5.5.2 Family Option or to the TKS easyConnect MAX Bundle price list.).

5.2.3 TKS reserves the right to change the content of services due to licensing reasons; example for such is loss of rights or the acquisition of new rights or for technical reasons. In such a case TKS will inform the customer in a timely manner. The same applies if a change in technical realization should have an influence on the necessary system requirements of the customer.

5.2.4 Registration and Login

The use of services requires the conclusion of a utilization agreement under consideration of the present conditions prior through the customer. Only adults are authorized to use the service.

5.2.5 TKS reserves the right to reject the offer of the customer to conclude the user agreement in individual cases. In addition, TKS may restrict access, if the security of network operations, maintenance of network integrity, in particular the avoidance of serious disturbances of the network, the software

or stored data, the interchangeability of the services or the required data protection is at risk.

5.2.6 The customer is required to enter login data before each use of service. Preset login data are the TKS customer number (username) and the TKS Password (password). Optionally, the customer has the possibility to perceive the provided function remain logged on with this device/Login automatically. The TKS customer number and TKS Password is - with choosing of this function – stored on the Smartphone or the Tablet PC or PC and the customer stays automatically logged-on for the easyTV App.

5.2.7 The customer may not pass the login data for the use of the easyTV Mobile to minor age persons. In addition, the customer is allowed to provide his/her login data to people that belong within the customers own household.

5.3 Program Offer

The included easyTV offer has a modular and contains various amounts of programs with standard definition (SD) as well as programs with high definition (HD). Number and definition of available programs may vary as they depend on individual locations and definitions.

5.3.1 Included Service Package and Module

easyTV Basic / easyTV Basic IP
This service package contains the programs of the Module Basic, which is part of the included easyConnect MAX Bundle Service Package.
 Local Channels as well as AFN channels are not part of the module Basic unless a Settop Box is being used. A Settop Box is not included with the TKS easyConnect MAX Bundle service.

5.3.2 Additional Service Packages and Modules

5.3.2.1 easyTV Family/ easyTV Family IP

This service package provides the following modules: Basic (IP), Discovery (IP), and Starz (IP)

5.3.2.2 easyTV Gold / easyTV Gold IP

This service package provides the following modules: Basic (IP), Discovery (IP), and US Sports (IP).

5.3.2.3 easyTV Platinum/ easyTV Platinum IP

The service package easyTV Platinum provides all available easyTV channels and consists of the following modules: Basic (IP), Discovery (IP), Starz (IP), and US Sports (IP).

Note: The easyTV IP Service Packages do not include the German channels and in location Italy does not include Italy speaking channels.

5.3.3 Modules

easyTV and easyTV IP is a module-based service. The following modules are available and part of the above listed service packages:

- Basic
- Discovery
- Starz
- US Sports
- Gold
- AFN channels

5.4 easyTV Marketing Matrix

Service packages can only be offered with the predefined modules:

Service Pack Module	easyTV Basic (IP)	easyTV Family (IP)	easyTV Gold (IP)	easyTV Platinum (IP)
Basic	included	included	inlcuded	included
Discovery	not possible	included	inlcuded	included
Starz	not possible	included	not included	included
US Sports	not possible	not possible	inlcuded	included
Gold	not possible	not possible	inlcuded	included
NFL Red Zone	not possible	not possible	*optional	*optional

5.5 Additional services and options

TKS reserves the right to offer timely limited additional services that are not listed in the general terms and conditions.

5.5.1 NFL RedZone Ticket

The NFL RedZone Ticket is a timely limited service offer, which gets only offered during the NFL season. This Ticket enables to watch the channel NFL RedZone for the complete season. Prerequisite therefore is an easyTV contract with the package easyTV Gold, or easyTV Platinum. The price for the ticket remains the same, no matter when the Ticket gets booked.

5.5.2 Family Option

6. The Family Option provides two additional streams, that may be used simultaneously with an Amazon Fire TV device, an Apple TV device, a mobile hardware, etc. These two streams are additionally to the standard one stream included in the contract.

6.1 Additional included services and options

6.1.1 Flex Option

This additional option is included in the easyConnect MAX Bundle service and provides the capability of Cloud DVR [Network Personal Video Recorder (NPVR)], Replay on Demand, Start Over, and Timeshift.

All the Flex Option features are only functional if data is provided for the Electronic Program Guide (EPG) e.g. start- and end-time information of a selected program.

Through possible transmission interference TKS cannot guarantee that all started EPG program recordings will be completed successfully.

6.1.1.1 Cloud DVR [Network Personal Video Recorder (NPVR)]

Cloud DVR (NPVR) is a network based digital video recorder stored at TKS' data center rather than at the consumer's private home. With Cloud DVR it is possible to watch one program and record other programs at the same time provided there is enough recording space available. The Cloud DVR feature provides recording space for up to 15 hours and storage time per recorded programs for 3 months. After the storage time is exceeded the recorded programs will automatically be deleted. Programs stored on the Cloud DVR cannot be transferred to a USB device.

Cloud DVR (NPVR) function is provided to facilitate flexible TV viewing experience but not for enduring storage of programming. Recorded programs are not property of the customer and TKS cannot be held liable for any lost recordings.

Due to license restriction the function of rewind and fast forward is not possible with the Cloud DVR.

6.1.1.2 Replay On Demand

The Replay On Demand feature is an on demand service that provides the capability to watch easyTV programs up to 7 days in the past.

6.1.1.3 Start Over

The Start Over feature provides the capability to jump to the beginning of a program that is already running and starts watching it from there.

6.1.1.4 Timeshift

The Timeshift feature allows the users to pause the actual channel they are currently watching and resume the playing later from the point where it was paused. The pause time is limited to the available system storage capacity.

6.2 Miscellaneous

TKS has no influence on contents and broadcasting times of individual programs.

If customer is able to use services free of charge which go beyond the described scope of services, customer cannot make a claim for such services. In case TKS decides to stop provision of such services, customer neither has the right to reduce the monthly fee or to claim reimbursement or damages, nor does customer have the right to cancel the contract for cause.

7. Access Installation

7.1.1 easyTV

The easyTV Basic service included in the bundle and the easyTV upgrade packages can be used in conjunction with an Amazon Fire TV device, Apple TV device, mobile hardware device, etc. on an Internet connection within Germany or internationally; with one exception it is prohibited to use the easyTV service within the USA.

Too low or fluctuating bandwidth of the Internet connection may result in a poor or variable quality of the television picture.

7.2 Additional TKS Services

Additional TKS services are provided according to the TKS easyConnect MAX Bundle price list. Within the framework of existing technical and operational possibilities additional services may be provided by TKS as agreed. Such additional services will be subject to extra costs to the customer as stated in the "TKS easyConnect MAX Bundle Price List" valid at the time when the service is ordered.

8. Provision of the Set-top Box (STB)

Provision of the STB is not part of the contract.

8.1 The customer is offered a rental process. It is not possible to purchase from TKS reception equipment.

8.2 In case more than one TV set is to be operated with a TKS easyTV access, each TV set requires an STB of its own.

9. Service

9.1 Within the responsibility of TKS

Within the framework of existing technical and operational possibilities TKS performs disturbance elimination services of its technical equipment. The following services are offered for the TKS telephone and internet access:

9.1.1 Acceptance of disturbance reports

TKS accepts disturbance reports every day 24 hours under its service number

9.2 Customers responsibly in-service area

The TKS or their representative contractor eliminates disturbances, which fall into the area of responsibility of the customer, exclusively after order was placed by the customer and hereby generates special computation (the prices are valid according to the current price list TKS easyConnect), following specification:

9.2.1 On-site service

9.2.1.1 Acceptance of disturbance reports

TKS accepts disturbance reports every day under its service number and during the following times:
Mon. - Sun.   00:00 am – 24:00 pm

9.2.1.2 Service availability
Disturbance service is available on working days (Monday through Friday) from 8:00 am till 8:00 pm, provided these days are not official German holidays.

9.2.1.3 Appointment arrangements
TKS generates according to the cause of defect a ticket (work order) for the responsible local technician / service partner. According to the location TKS, the local technician, or service partner will arrange principally a binding appointment for the service technician's visit. An appointment arrangement is possible from Mondays to Saturdays between 8:00 am and 6:00 pm, provided these days are not official holidays.

If the service cannot be provided within the agreed period for reasons that are the customer's responsibility, a new appointment is made. In the event that the service technician has to make an additional trip, extra travel costs may be charged.

9.2.1.4 Disturbance elimination deadline
In the cases of disturbance reports received during working days (Monday 8:00 am till Friday 6:00 pm) the disturbance elimination occurs within 24 – 48 hours (disturbance elimination deadline) of the disturbance being reported by customer and with appropriate short notice appointment arrangement with the customer. For disturbance reports received on Fridays after 6:00 pm, Saturdays, Sundays, and/or official German holidays, the disturbance elimination deadline starts on the following working day at 8:00 am. If the end of the disturbance elimination deadline coincides with an official holiday, the disturbance elimination deadline is suspended and continued on the following working day. The disturbance elimination deadline is kept if the problem has been solved to the extent that the access may be utilized again.