

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

Toll Fraud

Toll Fraud is the theft of long distance service. It typically occurs when a party gains remote access to the Customer's PBX or key system located at the Customer's premise. Toll fraud may also occur through unauthorized use of the Customer's calling cards.

Compliance

Customers should immediately notify ComSpan Communications of suspected Toll Fraud by calling the ComSpan Communications Customer Care Center. Be prepared to identify the means by which the fraud occurred, if known, and any modifications made to Customer Premise Equipment (CPE) in an attempt to stop the Toll Fraud. Upon notice, ComSpan Communications will investigate any suspected Toll Fraud, and may block, suspend, or otherwise limit the ability of the Service to prevent continued Toll Fraud. Customer agrees to cooperate with ComSpan Communications in the investigation, including the reporting of such incidents to the appropriate Field Office of the Federal Bureau of Investigation. Customer agrees to provide ComSpan Communications with such information and documentation as ComSpan Communications may request, including any reports, testimony or affidavits submitted to law enforcement.

Liability

ComSpan Communications is dedicated to leading the industry in providing quality, user-friendly network services and CPE. As part of that commitment, ComSpan Communications respects the right of its customers to choose the ComSpan Communications services and equipment that meet particular Customer needs, so long as the use is lawful and does not violate ComSpan Communications's policies and procedures. The freedom of the Customer to choose among ComSpan Communications's diverse service applications and the Customer's exclusive control of CPE means that the Customer, and not ComSpan Communications, is capable of addressing and preventing Toll Fraud. **IT IS THE EXCLUSIVE RESPONSIBILITY OF THE CUSTOMER TO PREVENT THE OCCURRENCE OF FRAUD**, and Customer is responsible for payment of any charges incurred due to fraud (including Toll Fraud), abuse, or misuse of the Services, whether known or unknown to Customer, and whether or not ComSpan Communications takes any actions to stop or block Toll Fraud.