



April 21, 2004

Mr. Frank Salvato
City Manager
City of Taylor
P. O. Box 810
Taylor, TX 76574-0810

Dear Mr. Salvato:

As you know, federal law requires cable companies to provide annual notification to their customers regarding privacy issues.

The enclosed privacy notice will be included in customer bills mailed in the May billing cycle. In order to comply with the law, we send this notice to all customers, including those who have requested that no inserts be included with their bill. Additionally, this information is given to all new customers at the time that their cable service is installed.

I wanted to remind you of this notification requirement in the event that your office receives inquiries from customers. Please refer customer inquiries to our customer service line at 512-485-5555 or 1-800-418-8848 outside Austin.

If you have any questions please don't hesitate to contact Patty Gonzales, Government Affairs Manager, at 512-485-6232.

Sincerely,

A handwritten signature in cursive script that reads 'Lidia B. Agraz'.

Lidia Graciela Agraz
Vice President of Public and Government Affairs

Enclosure



TIME WARNER CABLE AND AFFILIATED ISPS SUBSCRIBER PRIVACY NOTICE

We at your local Time Warner Cable-affiliated cable operator ("Operator," "we" or "us") are providing this Notice to inform you of our practices regarding personally identifiable information that may be collected in the course of providing services to you over our cable system, including video programming services and ISP Services ("cable-based services"). This notice is also being provided on behalf of Time Warner Cable's affiliated ISPs whose services are being provided over our cable systems (America Online and Road Runner and any other affiliated ISP Service which we may offer in the future (collectively, "Affiliated ISPs")). This Notice is being provided in accordance with the Cable Communications Policy Act of 1984 (the "Cable Act"). In addition to the Cable Act, this Notice also makes reference to the Electronic Communications Policy Act of 1986, as amended ("ECPA"), and the Online Copyright Infringement Liability Limitation Act of 1998 ("Copyright Act"), which are also applicable if you are a subscriber to an ISP service provided by Operator over its cable system (an "ISP Service").

This Notice pertains to personally identifiable information about you that you have furnished to Operator, or that Operator has collected, in connection with the provision of cable-based services to you. The provisions of this Notice also apply as indicated herein to personally identifiable information that you have furnished to Affiliated ISPs or that they have collected in connection with their provision of ISP Service. Personally identifiable information does not include aggregate data that does not identify you.

The Cable Act's subscriber privacy provisions apply to cable operators, as defined in the privacy provisions of the Cable Act ("Cable Operators"), providing cable and other services over their systems. Our Affiliated ISPs intend to conduct their privacy practices as set forth in this Notice, which provides subscribers to their ISP Services (i.e., their ISP services as provided by Operator over its cable system) with information required by the privacy provisions of the Cable Act, whether or not these Affiliated ISPs qualify as Cable Operators. Our Affiliated ISPs may provide subscribers with other information concerning their general privacy practices through additional policies and notices, which will continue to apply unless inconsistent with this Notice. When using our Affiliated ISPs, you may wish to review these additional policies and notices.

The provisions of this Notice do not apply to non-affiliated, third party ISPs (e.g., EarthLink) whose ISP Services are provided on Operator's cable systems. These non-affiliated ISPs may have their own privacy policies, which you may want to review. You should also be aware that most of the content and applications provided through your ISP Service are provided by third parties, and that by accessing the online content of these third parties you may cause or enable the transmission by the system to them of personally identifiable information. The policies described in this Notice do not apply to such third parties. These third parties may have their own privacy policies, which you may also want to review.

Seven areas are covered by this Notice:

1. The nature of personally identifiable information collected about you and the way such information is used;
2. The nature, frequency, and purpose of any disclosure that may be made of such information;
3. Disclosure of information to governmental entities and through legal process;
4. The period of time such information will be maintained;
5. Your online communications on your ISP Service;
6. The times and place you may have access to the information collected; and
7. Your rights under the Cable Act.

1. Collection and Use of Personally Identifiable Information

In order that Operator can provide service to you and operate efficiently, Operator collects the following types of information about you that may constitute personally identifiable information: your name, home, email and work address, telephone numbers, social security number, and credit and credit card information. Depending on the services Operator provides to you, our records also may include information on billing, payment, damage and security deposits, maintenance and repairs, how many television sets you have connected to cable or that are cable ready, the location of these television sets in your home, the number and location of PCs in your home and your PC configuration, the service options you have chosen, and the number of converters, cable modems or other cable equipment installed in your home. We may remotely check your PC to the extent necessary to determine whether it is susceptible to unauthorized access or the dissemination of computer viruses. We may also keep records of research concerning subscriber satisfaction with our services, which are obtained from subscriber interviews and questionnaires. Additionally, Operator may have a record of whether you rent or own your home in the event that landlord permission is required prior to installing our cable facilities. We also maintain subscriber correspondence (via e-mail or otherwise) and, if you are an ISP Service subscriber, we may keep records of violations and alleged violations of your ISP Service Subscription Agreement with Operator (your "Subscription Agreement") and other rules governing your use of the ISP Service. Finally, Operator may sometimes obtain from third parties publicly available information about our subscribers.

The information described in the preceding paragraph is used for purposes such as the following: to make sure you are being billed properly for the services you receive; to send you pertinent information about Operator's services; to maintain or improve the quality of Operator's services; to answer questions from subscribers (i.e., for troubleshooting); to ensure compliance with relevant law and contractual provisions; to market cable or other services or products that you may be interested in; and for tax and accounting purposes.

Operator's system, in delivering and routing the ISP Services, and the systems of Operator's Affiliated ISPs, may automatically log information concerning Internet addresses you contact, and the duration of your visits to such addresses. Operator does not use or disclose any personally identifiable information that may be derived from these logs for marketing, advertising or similar purposes. Operator, as described above, as well as your ISP, in providing the ISP Service to you, also has access to personally identifiable information about you or your ISP account, including the name and address associated with a given IP address or, possibly, one or more e-mail accounts. You have consented, in your Subscription Agreement, to the collection of personally identifiable information as described in this paragraph.

Under the Cable Act, a Cable Operator may also collect personally identifiable information over a cable system without subscribers' consent if it is necessary to provide services to subscribers, or to prevent unauthorized access to services or subscriber data.

Our Affiliated ISPs also may collect the following types of information that may constitute personally identifiable information:

- ♦ registration and account information, including your name, address, telephone number, screen names and email address(es), means of subscription, billing and payment (including credit card) information, and complaint and service history;
- ♦ account usage information, including information about how often and how long you use the relevant ISP Service, areas of the ISP Service visited and features of the ISP Service selected or used, and purchases that you have made through the ISP Service;
- ♦ technical information, including information about your computer system, its software and modem, and your geographical location;
- ♦ other subscriber information, including preference and other information you provide when you use or personalize your use of your ISP Service, information provided by our Affiliated ISPs' business partners, information you publish on the ISP Service, and information from other sources (for example, publicly available supplementary data).

The information collected by our Affiliated ISPs in connection with your use of their ISP Services may be used in connection with the provision and maintenance of the relevant ISP Service and to fulfill transactions that you request, to personalize or improve your online experience, or as otherwise necessary in the course of their businesses (for example, in audits, billing matters, or research). Our Affiliated ISPs may also use this information to provide advertising and other offers for goods and services to you, subject to the marketing preferences you may select when using their ISP Services. If you are a subscriber to one or more of our Affiliated ISPs, you have consented in your Subscription Agreement(s) to the collection of such information for the uses described above.

2. Disclosure of Personally Identifiable Information

Personally identifiable information that Operator maintains related to its subscribers will be disclosed by Operator without the prior written or electronic consent of subscribers only if: (1) it is necessary to render, or conduct a legitimate business related to, the services that are provided to you; (2) such disclosure is required by law or legal process as described below; or (3) for mailing lists as described below.

The types of persons to whom information about you may be disclosed by Operator in the course of providing cable service to you include the employees of Operator and its related legal entities, agents, repair and installation subcontractors, sales representatives, accountants, billing and collection services and credit reporting agencies, consumer and market research firms, and authorized representatives of governmental bodies. Also upon reasonable request, personally identifiable information is disclosed to persons or entities with an equity interest in legal entities related to Operator when they have a legal right to inspect our books and records.

In addition, if you are an ISP Service subscriber, information, including personally identifiable information, may be shared between Operator and your ISP in providing the ISP Service. The types of persons to whom information about you may be disclosed in the course of providing an ISP Service to you may include, in addition to those persons listed above, your ISP and its employees or other entities who provide content and/or services to the ISP Service or to you via the ISP Service.

Information for billing purposes is generally provided by Operator on a monthly basis. Information for other purposes is provided by Operator as it is needed.

Unless you object, the Cable Act also permits Cable Operators to disclose personally identifiable information to others, such as advertisers and direct mail or telemarketers, for non-cable related purposes. Under the Cable Act, any disclosures for purposes other than as described in the first three paragraphs of this Section 2 and in Section 3 of this Notice is limited to the following "mailing list information": your name, address and the particular services to which you subscribe (e.g., HBO or other premium channels or tiers of service). In addition, Operator may add to its mailing list publicly available information about subscribers that is obtained from third parties. Mailing list information cannot include the extent of your viewing or use of a particular service, including the extent of your use of any ISP Service, or the nature of any transaction you make over the cable system. Operator may disclose such mailing list information from time to time. If you wish to have us remove you from our mailing list, please notify us in writing at the main office of your local Operator.

In addition to any disclosures permitted in the first paragraph of this Section 2, our Affiliated ISPs may also disclose, pursuant to the consent you granted in your Subscription Agreement, the personally identifiable information described in Section 1 in connection with the provision of services to you, in order to fulfill transactions that you request, to personalize your online experience, to comply with criminal or civil legal process (including as described in Section 3 of this Notice), and as otherwise necessary in the ordinary course of their businesses. For example, our Affiliated ISPs may disclose your personally identifiable information routinely to their employees, agents and contractors to maintain, market, provide, and audit your ISP Service; to outside auditors to check their records; to attorneys and accountants as necessary to render services to such ISPs; and to merchants from whom you make purchases. The frequency of such disclosures varies according to business needs. The names and addresses of subscribers to our Affiliated ISPs may also be disclosed to selected companies in order to provide you direct mail product and service offers, subject to the marketing preferences you may select when using your ISP Service. In disclosing name and address information for such purposes, our Affiliated ISPs may combine these lists with publicly available information (such as census and household information), or segment them (i.e., create separate sub-lists) based on such publicly available information or on other information (such as when the subscriber began using the ISP service, or the subscriber's computer type).

3. Disclosure of Information to Government Entities and Other Legal Process

Federal law requires Operator to disclose personally identifiable information to a governmental entity or other third party pursuant to a court order. If the court order is sought by a governmental entity, the Cable Act requires that you be afforded the opportunity to contest in court any claims made in support of the court order sought. At such a proceeding, the Cable Act requires the governmental entity to offer clear and convincing evidence that the subject of the information is reasonably suspected of engaging in criminal activity and that the information sought would be material evidence in the case. In addition, pursuant to an administrative subpoena, state welfare agencies may obtain the names and addresses of individuals as they appear in the subscriber records of cable companies with respect to those who owe, or are owed, welfare support. Such information may be obtained without a court order and does not require that a subscriber be given notice of and the opportunity to contest the disclosure.

If you are a subscriber to an ISP Service, ECPA requires your ISP and us to reveal information to the government in certain additional circumstances. ECPA addresses both the content of communications on the ISP Service, as well as subscriber record information. ECPA requires your ISP and us to disclose to governmental authorities the content of communications in response to a criminal warrant or court order without any notice to you and without your consent.

In addition, under ECPA the government may require Operator or your ISP to disclose subscriber record information (but not the content of communications) pursuant to a warrant, court order or subpoena without any notice to you and without your consent.

If you subscribe to an ISP Service, a private party may use a subpoena under the Copyright Act to obtain information about you to maintain a copyright infringement suit against the poster of online material, without any notice to you. Additionally, our Affiliated ISPs may release information about you to comply with valid legal process such as a subpoena or court order, or as required by law.

In your Subscription Agreement, you have agreed that Operator and our Affiliated ISPs may also disclose any information in its possession to protect its rights, property and/or operations, or where circumstances suggest that individual or public safety is in peril.

4. Time Period That We Retain Personally Identifiable Information

Operator and its Affiliated ISPs maintain personally identifiable information about subscribers for as long as it is necessary for business purposes. This period of time lasts as long as you are a subscriber and up to fifteen additional years so that we and our Affiliated ISPs can comply with tax and accounting requirements. When information is no longer necessary for these purposes, we destroy the information unless there is a legitimate outstanding request or order to inspect the information.

5. Your Online Communications on an ISP Service

In addition to the situations described in Section 3, ECPA provides for other exceptional circumstances under which Operator and/or your ISP may be compelled to disclose information about you or your communications, or are permitted to disclose such information. For example, such information may be disclosed to law enforcement if it appears to be evidence of child pornography, or was inadvertently obtained and appears to pertain to a crime. Such disclosure is also permitted to an addressee or intended recipient (or his or her agent), or to a person involved in forwarding such information to its destination; when it is necessarily incident to providing service or to protect our rights or property; to others with your consent or the consent of an addressee or intended recipient (or his or her agent) of communications sent by you; or as otherwise provided for by law. In your Subscription Agreement, you have agreed that Operator and our Affiliated ISPs may disclose any information in their possession to protect their rights, property and/or operations, or where circumstances suggest that individual or public safety is in peril.

6. Access to Records

Under the Cable Act, you have the right to inspect the records of a Cable Operator that contain personally identifiable information about you and correct any errors in such information. If you wish to inspect these records, please notify Operator in writing and an appointment at our local business office will be arranged during our regular business hours.

7. Your Rights Under the Cable Act

The Cable Act provides you with a cause of action for damages, attorneys' fees and costs in Federal District Court should you believe that any of the Cable Act's limitations on the collection, disclosure, and retention of personally identifiable information have been violated by a Cable Operator. Your Subscription Agreement contains your agreement that, to the extent permitted by law, any claims that you have under the Cable Act will be decided in arbitration and attorneys' fees and punitive damages will not be available.