

ADVANCED DATA SERVICES

## DESCRIPTION OF ADVANCED DATA SERVICES (Continued)

## 4.2 TRANSPARENT LAN SERVICES (Continued)

## 4.2.5 Service Level Agreements (SLA) (Continued)

A. Operational Service Level Agreements (SLAs) (Continued)1. Mean Time to Repair (MTTR) (Continued)

The SLA shall not apply to cases where no trouble was found or to repeated cases of trouble for the same interruption. The MTTR SLA shall be measured on a calendar month basis and shall be calculated by adding the TTR for all interruptions and dividing that sum by the total number of trouble tickets opened for interruptions for the Customer during that month.

MTTR SRCs

If the MTTR is greater than four (4) hours over the calendar month, then 50% of the one-month TLS Access Line monthly charge shall be given as a MTTR SRC for those Access Lines that have been out of service for longer than four (4) hours and that have been reported by the Customer via a trouble ticket to the Company. The MTTR SRC credit excludes and is not applicable to scheduled maintenance, scheduled downtimes or delays resulting from an event of force majeure.

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2. Network Availability

Network Availability refers to the percentage of time during a calendar month that the TLS is available for use by the Customer.

Network Availability Measurement

The Company threshold for Network Availability is 99.90%. Network Availability is calculated on a per TLS Port Connection basis as follows:

$$\frac{((24 \times \text{Number of Days in Month} \times \text{Number of TLS Port Connections}) - (\text{Number of Hours Out of Service during Month}))}{(24 \times \text{Number of Days in Month} \times \text{Number of TLS Port Connections})}$$

The Company will not round up the calculation to reach the 99.90% threshold. This SLA is only available for outages reported by the Customer via a trouble ticket to the Company.

Network Availability SRCs

If the overall Network Availability measurement is less than the threshold of 99.90% for a calendar month, the Company will provide a credit equal to ten percent (10%) of the associated monthly charge for any individual TLS port connection that did not meet such threshold during such calendar month.