

ADVANCED DATA SERVICES

DESCRIPTION OF ADVANCED DATA SERVICES (Continued)

4.2 TRANSPARENT LAN SERVICES (Continued)

4.2.5 Service Level Agreements (SLA) (Continued)

B. Network Performance SLAs

Network Performance SLA applies to all Customers subscribing to an EVC Class of Service (CoS) within a local network consisting of the following types:

ERS - Real Time EVC bandwidth CoS, and

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ERS - Priority Data EVC bandwidth CoS.

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All other EVCs do not qualify for Network Performance SLAs, including EVPLAN EVCs.

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The performance SLA is hierarchical in nature and statistically-based. Conformance is determined on a Met or Missed basis, first on a per-hour basis and then on a per-month conformance basis.

Per-Hour Conformance - For each hour in the month, a determination is made as to whether the performance objectives are 'Met' for the CoS attributes related to the CoS instance on a given EVC. For a given Hour (e.g., H1), the overall performance objective is 'Met' if the performance objectives for each of the Data Delivery Ratio (DDR), Round Trip Delay (RTD), and Jitter, attributes are 'Met'. If any of the attribute objectives are 'Missed', then the overall performance objective for Hour (H1) is determined to be 'Missed'.

Per-Month Conformance - For the month, a determination is made as to the percentage of hours that the overall performance objective is 'Met'. So, for a given Month (e.g., M1), the monthly performance guarantee is 'Met' if the % of hours 'Met' for the month meet or exceed the monthly objective.