

PSC NO: 1 TELEPHONE  
SBC Long Distance, LLC d/b/a SBC Long  
Distance  
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#### 11.2.1 Frame/Cell Delivery Ratio

For SBC PremierSERV<sup>SM</sup> ATM and Frame Relay Services provided to the Customer, the Company is committed to maintaining data throughput across the Company-provided, Customer-specific network at a Frame/Cell Delivery Ratio of 99.99% per PVC/VPC/ VCC end to end during each calendar month, under normal conditions.

(A) Frame/Cell Delivery Ratio is calculated as the average percentage of Customer-specific Frames/Cells offered to the network that successfully egress the network (end to end) within the Committed Information Rate (CIR) for SBC PremierSERV<sup>SM</sup> Frame Relay or within the Sustained Information Rate (SIR) for ATM, and within a calendar month. The calculation for SBC PremierSERV<sup>SM</sup> Frame/Cell Delivery Ratio for a given calendar month shall be as follows:

Frame/Cell =  $\frac{\text{Total Customer-specific Frames/Cells that successfully egress the network}}{\text{Total number of Customer-specific Frames/Cells offered to the network}}$   
Delivery Ratio

The following will be excluded from any determination of Frame/Cell Delivery Ratio:

- Force majeure;
- Data lost during the Company's scheduled maintenance window;
- Data exceeding the subscribed Committed Information Rate (CIR) for SBC PremierSERV<sup>SM</sup> Frame Relay or Sustained Information Rate (SIR) for SBC PremierSERV<sup>SM</sup> ATM;
- Failures due to facilities or equipment provided by another party or the Customer;
- Failures due to unauthorized use of Service or inaccurate network specifications requested by the Customer;
- Failures due to negligence or willful misconduct by the Customer;
- SBC PremierSERV<sup>SM</sup> UBR VPC/VCCs;
- PVC/VPC/VCCs that transmit data across oversubscribed ingress or egress ports, which includes data not marked "discard eligible" and instances where the cell loss priority equals one (1).

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