MASTER SERVICES AGREEMENT
SERVICE DESCRIPTION

SERVICE DESCRIPTION: GLOBAL WAN – EVPL SERVICE TYPE

1. **EVPL SERVICE TYPE DESCRIPTION**

1. 1 The Ethernet Virtual Private Line Service Type (**EVPL**) is an Ethernet based layer 2 communication service providing either point-to-point or point-to-multipoint connectivity via Ethernet Virtual Connections (**EVC**) between Sites connected to EVPL access end points at PoPs on our EVPL Network (**Ports**).

1. 2 For each EVPL:

   (a) there is a minimum of two Ports each configured to support Ethernet-based data traffic exchange; and

   (b) each Port has a Physical Bandwidth;

   (c) each Port may have one or more Port Sub-interfaces;

   (d) each Port Sub-interface corresponds to an EVC configured to provide a point to point Ethernet connection between two Ports at our PoPs;

   (e) each EVC has an EVC Bandwidth and, where applicable, an EVC Service Grade;

   (f) you may select one of the two available Service Modes for your EVPL:

   (i) Transparent Mode; or

   (ii) VLAN Mode,

   as further described below in this clause 1.6. There may also be, for each EVPL, a Local Access, if Ordered.

1. 3 Ports are available at the following speeds:

   (a) 10Mb (**Ethernet**);

   (b) 100Mb (**Fast Ethernet**); and

   (c) 1000Mb (**Gigabit Ethernet**).

   The relevant speed is the maximum bandwidth physically available for that Port (**Physical Bandwidth**).

1. 4 Each Port may be further separated into one or more sub-interfaces. Each sub-interface is a "**Port Sub-interface**". Each Port Sub-interface corresponds to an EVC.

1. 5 Each EVC may have a subscribed data speed selected by you, as set out in the Order (**EVC Bandwidth**) and, where VLAN Mode is selected, an EVC Service Grade as set out in the Order.

1. 6 You are able to subscribe to one of the following "**Service Modes**" for EVPL:

   (a) **Transparent Mode**: This Service Mode provides transparent transport of all EVPL traffic over our EVPL Network. Any VLAN tags sent by you will be preserved but will not be acted upon by our EVPL Network. The Transparent Service Mode only provides point to point transport of your EVPL traffic. For EVPL with Transparent Mode each Port connects to one EVC.

   (b) **VLAN Mode**: This Service Mode provides virtual local area network (VLAN) based transport of EVPL traffic in point to point and point to multipoint configurations. Each EVPL with VLAN Mode can have only one hubbing Port in the point to multipoint configuration. Each VLAN corresponds to a unique EVC on our EVPL Network. You are responsible for ensuring that your traffic is sent with appropriate VLAN tags to enable our EVPL Network to carry the traffic as separate VLANs. For EVPL with VLAN Mode each Port may connect to up to 10 EVCs.

1. 7 Each of your EVPL can only send and receive traffic with your other EVPL with the same Service Mode.

1. 8 For EVPL with VLAN Mode you may select one of the following service grades for an EVC (**EVC Service Grade**):

   (a) **Standard**: this EVC Service Grade corresponds to the "Low Priority Data" class of service on our EVPL Network; or

(b) **Premium**: this EVC Service Grade corresponds to the "Critical Data" class of service.

1. 9   No EVC Service Grades are available for EVPL with Transparent Mode.

1. 10   Each EVPL Whole Circuit is an "**EVPL Circuit**".

1. 11   A Local Access is required to connect your Site in a country and our PoP in that country. Where a Local Access is set out in the Order that EVPL Service Type includes that Local Access.

2.   CHARGES

2. 1   See Pricing Schedule.

3.   SERVICE LEVELS SCOPE

3. 1   The Service Levels that apply to each EVPL Service Type and the Relevant Rebate Charges are set out in Table 1 below.

Table 1 - Service Levels and Relevant Rebate Charges for EVPL Service Types		
Types of Service Levels	**EVPL Service Type**	
	Applicable Service Levels	**Scope of Measurement**
Service Reliability	Service Availability (**Availability**)	Between POP and POP
	Mean Time to Restore (**MTTR**)	Between POP and POP
Network Performance	Round Trip Delay (**RTD**)	Between POP and POP
	Throughput	Between POP and POP

3. 2   Service Level measures expressed to be PoP-to-PoP are a carrier network level measurement. As such, the measures do not necessarily reflect the actual EVPL performance at the individual EVPL Service Type level.

3. 3   The Service Level Targets may not be measured and may not apply between Ports or Sites utilising the same PoP within the same country.

4.   SERVICE DELIVERY - SERVICE PROVISIONING TIME (SPT)

4. 1   We will provide you with a service delivery date in writing for each EVPL Service Type, after completing a feasibility assessment (**Firm Delivery Date**).

4. 2   Should you change your request, then the SPT will not apply unless a new feasibility assessment is conducted and we advise you of a new Firm Delivery Date.

4. 3   If an EVPL Service Type is not delivered within 31 days of its Firm Delivery Date you may cancel that EVPL Service Type. You may only exercise your rights under this clause prior to the Service Start Date for the relevant EVPL Service Type.

5.   SERVICE AVAILABILITY

5. 1   **Availability** means the number of minutes in a month during which an EVPL Service Type is not Unavailable, while **Unavailability** means the number of minutes in a month during which a service is subject to an interruption or outage that results in the total disruption of the EVPL Service Type, but does not include any period during which an Exclusion Event applies.

5. 2   From the Service Start Date for each EVPL Service Type, we will endeavour to provide Availability of 99.99% Service Type between POPs.

5. 3 If an EVPL Service Type is Unavailable in a month, you are entitled to claim a rebate (not cumulative) as a percentage of the monthly recurring charges for the affected EVPL Service Type (Relevant Rebate Charges), calculated in accordance with Table 2, according to the period of the Unavailability.

Table 2 - Service Availability Rebates		
Measurement	**Availability calculated as a percentage**	**Where Unavailability is caused by the EVPL Circuit**
PoP-to-PoP	99.98%-99.86	10%
	99.85%-99.45%	30%
	<99.45%	50%

5. 4 The rebate payable for a failure to meet the Service Availability Service Level Target for an EVPL Service Type in a month is capped at 50% of the Relevant Rebate Charges.

5. 5 A rebate shall not apply in the event that the EVPL Service Type is unavailable for any period during which an Exclusion Event applies. For the purpose of this Service Description an **Exclusion Event** means any of the following:

(a) any fault or lack of Availability caused or contributed to by the simultaneous failure of two or more international submarine cable systems not wholly owned or operated by us or our Service Provider and used for the Service, where the fault or lack of Availability would not have occurred if only one such cable system had failed;

(b) any fault, lack of Availability or failure caused or contributed to by any of the following:

(i) your act or omission, or any act or omission of a third party (excluding our Service Provider), or any of your or its agents, contractors or customers;

(ii) any factors at your premises, our ability to access such premises or unavailability of any necessary cabling facilities at such premises, or

(iii) any equipment or software owned or supplied by you or a third party (excluding our Service Provider).

(c) a fault or lack of Availability reported by you but not confirmed by us nor any relevant third party operator as a valid fault;

(d) Planned Network Maintenance;

(e) the unavailability of any permits or licences from third parties necessary for supply of the Service, including road digging permits and licences from a building owner or manager; or

(f) a Force Majeure Event or outages due to local in-country practices, any national laws, customs or regulations.

6. MEAN TIME TO RESTORE (MTTR)

6. 1 Mean Time to Restore means the sum of all Unavailability for an EVPL Service Type during a month divided by the total number of Global Service Interruptions on that EVPL Service Type in that month. Each occasion on which the relevant EVPL Service Type is Unavailable in a month is one Global Service Interruption.

6. 2 From the Service Start Date for each EVPL Service Type, we will endeavour to provide a Mean Time to Restore of four (4) hours or less for each EVPL Service Type (**MTTR Service Level Target**).

7. ROUND TRIP DELAY (RTD)

7. 1 RTD is a POP to POP measure of the monthly average round trip delay performance for each EVPL Service Type and is measured separately for each EVC.

7. 2   The number of locations at which EVPL Service Types are provided makes it impractical to include the full list of the RTD Service Level Targets in this Service Schedule. The RTD Service Level Targets for your EVPL Service Type will be provided to you on this Service Description being added to the Agreement and thereafter on request.

8.   THROUGHPUT

8. 1   Throughput means the average success rate of data transmission from origin to destination PE Routers over our EVPL Network during a month. Throughput may be measured PoP-to-PoP using sample data sent at 5-minute intervals between PE Routers enabled with a performance monitoring device to measure continuous traffic flow over our EVPL Network.

8. 2   Throughput is measured separately for each EVC.

8. 3   The Throughput Service Level Target is as set out in Table 3 below.

Table 3 – Throughput Service Level Target	
Service Grade	**Throughput Target**
Standard	99.9%
Premium	99.95%