VTX))) TELECOM

SLA SERVICE SCHEDULE
MPLS IP VPN

This SLA specifies the Service performance parameters and objectives to which VTX aspires and the sole and exclusive remedies arising from VTX's failure to meet these objectives. The terms of this SLA are understood to supplement the MSA and the SO, and in the event of any inconsistency or ambiguity between these documents, such inconsistency or ambiguity shall be resolved pursuant to the order of precedence defined in the MSA.

1.   Network Service Level

Measurement Region	Committed Network Round Trip Delay	Committed Network Packet Loss	Committed Network Jitter
INTRA-REGION			
North America	Less than or equal to 65 ms	0.1%	Less than 2 ms
Europe	Less than or equal to 55 ms	0.1%	Less than 2 ms
Asia	Less than or equal to 140 ms	0.1%	Less than 2 ms
South Pacific	Less than or equal to 80 ms	0.1%	Less than 2 ms
INTER-REGION			
China to North America	Less than or equal to 210 ms	0.1%	Less than 2 ms
Europe to North America	Less than or equal to 100 ms		
Japan to North America	Less than or equal to 150 ms	0.1%	Less than 2 ms
Hong Kong to North America	Less than or equal to 190 ms	0.1%	Less than 2 ms
Korea to North America	Less than or equal to 190 ms	0.1%	Less than 2 ms
Singapore to North America	Less than or equal to 250 ms	0.1%	Less than 2 ms
India to North America	Less than or equal to 300 ms	0.3%	Less than 2 ms
South Pacific to North America	Less than or equal to 210 ms	0.1%	Less than 2 ms
Latin America to North America	Less than or equal to 135 ms	0.7%	Less than 2 ms
Chile to North America	Less than or equal to 135 ms	0.7%	Less than 2 ms
Colombia to North America	Less than or equal to 115 ms	0.7%	Less than 2 ms
Venezuela to North America	Less than or equal to 70 ms	0.7%	Less than 2 ms
Puerto Rico to Continental United States	Less than or equal to 60 ms	0.1%	Less than 2 ms
Hawaii to Continental United States	Less than or equal to 85 ms	0.1%	Less than 2 ms

Network Service Level Table

1.1   Network Round-Trip Delay Service Level: VTX guarantees a monthly average Network Round Trip Delay of less than or equal to the committed metric set forth in the Network Service Level Table above. The measurement is tailored to a pair of specific customer locations and the Network Round-Trip Delay commitment is equal to the monthly average of the committed round-trip delay (in milliseconds) between the POPs on the VTX network.

1.2   Network Packet Loss Service Level: VTX guarantees a monthly average Packet Loss ranging from 0.1% to 0.7% depending on the locations of the eligible customer sites, as set forth in the Network Service Level Table above.

1.3   Network Jitter Service Level: VTX guarantees a monthly average Jitter ranging from 10 ms – 20 ms (1-way) depending on the locations of the eligible customer sites, as set forth in the Network Service Level Table above.

1.4   In the event should VTX exceed for one week during a given month of the foregoing Service Level, Customer shall be entitled to claim for a Service Credit. The Service Credit will equal to a 3-day service fee for monthly recurring charge of the affected port and local loop (both ends) as set forth in the SO.

2.   Availability Service Level

2.1   The Availability Service Level for Private Line Service delivered over VTX's network is 99.99% for Protected Terrestrial Private Line Service, 99.9% for Unprotected Terrestrial Private Line Service and Protected Submarine Private Line Service, and 97% for Unprotected Submarine Private Line Service.

2.2   In the event that the Private Line Service becomes unavailable for reasons other than an Excused Outage, Customer will be entitled to a service credit off of the MRC for the affected Service based on the aggregate duration of all Service unavailability events in a given calendar month as set forth in the following tables.

For All Protected Private Line Service (both Terrestrial and Submarine):

Duration of Service Unavailability	Service Credit
30 minutes or less	No Credit
Between 30 –to 60 minutes	5% of the MRC
Between 1 and 4 hours	10% of the MRC
Between 4 and 8 hours	20% of the MRC
Between 8 and 12 hours	30% of the MRC
Between 12 and 16 hours	40% of the MRC
Between 16 and 24 hours	50% of the MRC
Over 24 hours	100% of the MRC

For All Unprotected Private Line Service (both Terrestrial and Submarine):

Duration of Service Unavailability	Service Credit
4 hours or less	No Credit
Between 4 and 12 hours	5% of MRC
Between 12 and 18 hours	10% of MRC
Between 18 - 24 hours	15% of MRC
Over 24 hours	20% of MRC

2.3   The Availability Service Level and associated Service Credits set forth in Sections 2.1 and 2.2 above shall not apply to Off-Net Local Loop Service, including, without limitation, Metropolitan Private Line (Off-Net) Service, provisioned by VTX through a third party carrier for the benefit of Customer. VTX will pass-though to Customer any Availability Service Level and associated Service Credit (if applicable) provided to VTX by the third party carrier for such Off-Net Local Loop Service.

2.4   The Availability guarantee does not include the local access circuit (*e.g.* local loop), Customer Premise Equipment (router or CPE) or Customer's Local Area Network (LAN), scheduled maintenance events, network events on redundant network elements, Customer caused outages or disruptions, and *force majeure* events (as defined in Article 12 of the MSA).