



Standard Form of Agreement

Service Description (Midband Ethernet)

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1 The Agreement

1.1 The Parties

1.1.1 ZettaNet Pty Ltd ABN 48 066 394 509 (hereinafter referred to as "ZettaNet", "us", "our") and the Customer (being an entity subscribing to ZettaNet for the provision of Internet services) agree that by accessing our services, you (hereinafter referred to as "The Customer", "you" and "your") accept, without limitation or qualification, the terms and conditions contained within the Standard Form of Agreement.

1.2 What is a Service Description?

1.2.1 The ZettaNet Service Description defines the services offered and specific terms and conditions for each of these Services. This document forms part of our Standard Form of Agreement (SOFA). The SOFA comprises:

- a) General Terms and Conditions
- b) Service Descriptions
- c) Pricing Schedule

2 Service Description

2.1 What is Midband Ethernet

Midband Ethernet, also known as Ethernet Over Copper (EoC) or Ethernet First Mile (EFM) is the technology of delivering layer 2 connectivity between locations over existing copper telephone infrastructure. Midband Ethernet can technically reach synchronous speeds of up to 40Mbps. Midband Ethernet increases the available capacity by utilising additional copper pairs between your premises and the telephone exchange.

2.2 Telecommunications Installation

- 2.2.1 The installation of the Midband Ethernet service requires the installation of a new telephone line or modification of existing telecoms infrastructure.
- 2.2.2 The connection fee associated with the service includes the installation of the Midband Ethernet service up to the Network Termination Device (NTD). Any additional cost associated with install after the NTD must be paid by the customer.
- 2.2.3 A network termination device (NTD) is a defined network boundary point under section 22 of the Telecommunications Act 1997. It is a device meeting the carrier's requirements that is provided by the carrier to establish a demarcation point between the carrier's telecommunications network and customer cabling or customer equipment, and is permanently marked at manufacture with the words "Network Termination Device" or the letters "NTD". * Reference Telstra Specification 012688
- 2.2.4 Please see http://www.telstra.com.au/smartcommunity/assets/networkterminationdevice_1108.pdf for further NTD information.

2.3 CPE Installation and Equipment Supply

- 2.3.1 We may provide CPE (Customer Premises Equipment) in the form of a modem or router. ZettaNet may pre-configure a supplied device with your connection information.
- 2.3.2 We will not be liable for issues as a result of us supplying this equipment to you. ZettaNet will provide reasonable phone support to enable you to install and connect to ZettaNet using this device.
- 2.3.3 Where you have supplied your own CPE, ZettaNet is not obliged to supply support for the configuration of this equipment. ZettaNet will provide the generic network settings to you in order for you to configure the appropriate CPE.
- 2.3.4 You may choose to have a ZettaNet technician provide onsite support to install and configure your CPE. This will be charged at an hourly rate in addition to your setup and monthly fees.

2.4 Connection Speeds

- 2.4.1 A minimum speeds of 1Mbps and 2Mbps are guaranteed (Depending upon the service speed purchased).
- 2.4.2 We cannot guarantee that you will receive a certain speed beyond 2Mbps that is why we specify "Up to 40Mbps" for remaining plans. Speed is typically affected by:
 - a) Distance from the telephone exchange.
 - b) The number and quality of copper pairs between the exchange and your premises.
 - c) Your hardware (specifically router).
 - d) The capacity and current load of the server or website you are accessing.
- 2.4.3 Should you require additional copper pairs to be installed after your order has been placed you will be required to pay an additional installation fee.

2.5 Monthly Use

- 2.5.1 Your monthly use is measured in Megabytes. Both downloads and uploads are counted toward your quota.
- 2.5.2 When you have reached your monthly quota your Midband Ethernet service speed will be charged an excess use charge as stated in your contract.

2.6 Payment

- 2.6.1 Payment for the Midband Ethernet service is required in advance. You may choose to pay for the service in monthly, quarterly or yearly.
- 2.6.2 Where you have chosen a plan with excess charges, this will be charged monthly in arrears.

2.7 Target Service Level

99.8%

2.8 Call Response Target

4hrs

2.9 Restoration Target

2.9.1 2 Business Days

2.10 Service Level Rebates

| Service Unavailability | Service Rebate |
|---|-----------------------------------|
| Up to 2 hours per calendar month. | No Rebate Available |
| More than 2 hours but less than 4 hours during a calendar month. | 5% of the Monthly Service Charge |
| More than 4 hours but less than 8 hours during a calendar month. | 10% of the Monthly Service Charge |
| More than 8 hours but less than 16 hours during a calendar month. | 20% of the Monthly Service Charge |
| More than 16 hours during a calendar month | 30% of the Monthly Service Charge |

Please note that service degradation due to a drop in speed due to loss of copper pairs is not eligible for a service level rebate.

2.11 Contract Term

2.11.1 We provide Midband Ethernet services on minimum contract terms. These terms are specific to the type of service we deliver to you.

2.11.2 If you decide to cancel or move your service within the contract term you will be liable for an Early Termination Fee. The formula for determining this fee is detailed in the General Terms and Conditions and the Pricing Schedule.