

SLA for Physical Co-Location

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Force Majeure

Neither party to this agreement shall be liable for any failure to perform its obligations hereunder where such failure is due to acts beyond its reasonable control including but not limited to, act of God, insurrection or civil disorder, war or military operations, national or local emergency, acts or omissions of the government, state agency or the ODTR, highway authority, fire, flood lightning, explosions, subsidence, weather of exceptional severity, impacting industrial dispute, acts or omissions of persons or bodies for whom the party affected thereby is not responsible or acts of local or central government, state agencies or the ODTR or other competent authorities (Force Majeure).

1. Definition of Terms

- 1.1. All terms are as defined in the current Industry process manual, entitled Process Manual for *eircom* Physical Collocation Service, ODT/775/4/11, dated the 22nd May 2001.
- 1.2. The Performance Targets listed in this SLA are in line with the ODTR final position in the ODTR Document No. 01/37¹.
- 1.3. The Performance Targets listed in this SLA are binding on *eircom* only insofar as all applicable processes and procedures detailed in the current issue of the Process Manual have been complied with by the Access Seeker.

2. Working Day

Working Day is defined as Monday to Friday 9.00am to 5.0pm excluding Public and Bank Holidays.

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¹ Local Loop Unbundling, Service Level Agreements for Co-location and ULMP /Line Sharing, Information.

SLA Schedule

The SLA schedule is set out in the following tables.

Table 1 *eircom* Service Provisioning

Activity Number	Activity Description	Performance Target	Auditable Start & End Points
1.	Provision of Generic Information & Access Seeker ID	Provision of generic information and Access Seeker I.D 4 working day Working Days upon receipt of signed and completed non-disclosure agreement	Time stamp in fax Franked date of postage
2.	Acknowledgement & Validation of Site Specific Information Request.	Acknowledgement and Validation or rejection of SSIR Form by 17.00 on the Working Day following the day in which the form was dispatched.	Dispatch time stamp on email Dispatch time stamp on email
3.	Provision of Site Specific Information Pack	Provision of Site Specific Information Pack 10 Working Days from when the form was dispatched	Dispatch time on email Franked date of postage
4.	Acknowledgement & Validation of ISR Form	Acknowledgement and Validation or rejection of ISR Form by 17.00 on the Working Day following the day in which the form was dispatched.	Dispatch time stamp on email Dispatch time stamp on email
5.	Provision of Initial Survey Report	Provision of Initial Survey Report 10 Working Days from dispatch of ISR form.	Dispatch time stamp on e mail Dispatch time stamp on e mail
6.	Acknowledgement & Validation of Full Survey Request Form (SFR)	Acknowledgement and Validation or rejection of SFR Form by 17.00 on the Working Day following the day in which the form was dispatched.	Dispatch time stamp on email Dispatch time stamp on email
7.	Provision of Full Survey Report	Provision of Full Survey Report 10 Working Days from	Dispatch time stamp on email

		the day the form was dispatched.	Dispatch time stamp on email
Activity Number	Activity Description	Performance Target	Auditable Start & End Points
8.	Acknowledgement & Validation of Site Offer Request Form (SOR)	Acknowledgement and Validation or rejection of SOR Form by 17.00 on the Working Day following the day in which the form was dispatched.	Dispatch time stamp on email Dispatch time stamp on email
9.	Production of Site Offer.	Provision of Site Offer 10 Working Days	Dispatch time stamp on email Dispatch time stamp on email
10.	Acknowledgement & Validation of Full Survey & Site Offer.	Acknowledgement and Validation or rejection of CFSCSOR Form by 17.00 on the Working Day following the day in which the form was dispatched.	Dispatch time stamp on email Dispatch time stamp on email
11.	Production of Full Survey & Site Offer.	Provision of Full Survey & Site Offer 20 Working Days	Dispatch time stamp on email Dispatch time stamp on email
12.	Provisioning	By scheduled completion date.	

All terms are subject to compliance with all elements of the agreed industry process as outlined in the Co-Location Process Manual.

Table 2. Planned Access - eircom

Activity Number	Activity Description	Performance Target	Auditable Start & End Points
13.	Acknowledgement of Planned Access request - NA Form	Acknowledgement and Validation or rejection of NA by 17.00 on the Working Day following the day in which the form was dispatched.	Dispatch time stamp on email Dispatch time stamp on email
14.	Provision of access	Appointment to be provided following a minimum notice period of 10 Working Days from receipt of request.	Time of access stated on NA Form N/A

Table 3. Unplanned Access -eircom

Activity Number	Activity Description	Performance Target	Auditable Start & End Points
15.	Provision of Unplanned access within Standard Hours.	Appointment to be provided within 3 hours	Time of access stated on NA Form Completed NA Form
16.	Provision of Unplanned access outside Standard Hours.	Appointment to be provided within 4 hours	Time of access stated on NA Form Completed NA Form

All terms are subject to compliance with all elements of the agreed industry process as outlined in the Co-Location Process Manual.

Table 4. Service Effecting Fault Management

Activity Number	Activity Description	Performance Target	Auditable Start & End Points
17.	Acceptance or rejection of AS fault report	Response to be provided within 1 hours of fault receipt*	
18.	Target Repair Time	Repair to be completed within 6 working hours.	Logging of fault on FHS. Fault Cleared on FHS.

Response Defined as "acceptance, initial diagnostics and dispatch if necessary.

Table 4.1 Non - Service Effecting Fault Management

Activity Number	Activity Description	Performance Target	Auditable Start & End Points
19.	Acceptance or rejection of AS fault report	Response to be provided within 1 Working Day of fault receipt*	
20.	Target Repair Time	Repair to be completed within 3 Working Days.	Logging of fault on FHS. Fault Cleared on FHS.

* Response Defined as " acceptance, initial diagnostics and dispatch if necessary.

Table 5. Service Effecting Fault Escalation Procedures

Activity Number	Activity Description	Time Escalation	Auditable Start & End Points
21	Response to 1st level escalation	After Target fault repair time has been missed.	After 6 hours
23.	Response to 2nd level escalation	8 hours after initial fault has been reported.	After 8 hours
24.	Response to 3rd level escalation	10 hours after initial fault has been reported.	After 10 hours

Table 5.1. Non- Service Effecting Fault Escalation Procedures

Activity Number	Activity Description	Time Escalation	Auditable Start & End Points
24	Response to 1st level escalation	After Target fault repair time has been missed.	After 3 Working Days
25	Response to 2nd level escalation	4 Working Days after initial fault has been reported.	After 4 Working Days
26.	Response to 3rd level escalation	5 Working Days after initial fault has been reported.	After 5 Working Days

Penalties:

Process	When triggered	Penalty calculation	Cap
Provisioning	Delivery is later than Scheduled Completion Date	Daily rental fee for the ordered collocation space	None

Penalties payable for non-compliance with the service provisioning target will only apply to orders placed from the 18th August 2001.