

Cross T&M Maintenance Policy

03/01/10

A maintenance request is defined broadly as one in which a system, part or adjunct which had been previously functioning correctly is experiencing an outage or is in need of repair not resulting from a configuration change.

T&M required for products covered under a Cross maintenance contract (“Supported Products”) will be managed as part of the Cross maintenance process.

Cross may accept T&M maintenance requests for products not covered under a Cross maintenance contract (“non Supported Products”) on a case by case basis based on Cross’ ability to deliver maintenance support on the particular product through Cross and/or vendor partner resources. T&M maintenance requests for non Supported Products will only be accepted for customers with current pre-paid CrossNet Complete contracts. T&M maintenance for non Supported Products will be delivered on a reasonable commercial effort basis as resources are available. Cross will bill for all time worked with no guarantee of a resolution. T&M maintenance requests for non Supported Products will be managed from 8am to 5pm M-F local time excluding Cross designated holidays.

PRIORITIZATION

Maintenance requests will follow the following level of prioritization:

1. Maintenance requests for CrossNet Maintenance contract customers for Supported Products at Supported Sites during the coverage hours.
2. Maintenance requests for CrossNet Maintenance contract customers for Supported Products at Supported Sites outside the coverage hours.
3. Maintenance requests for non maintenance contract customers with CrossNet Support Services contracts.

In the event a maintenance request is made by a customer with a higher level of priority, the assigned Cross Service Delivery Engineer (SDE) working a T&M request may need to disengage service delivery to meet Cross contracted obligations. A Cross SDE will re-engage as one becomes available to assist.

HOURLY T&M MAINTENANCE RATES

Remote and on-site T&M maintenance support for IP Office - \$200 per hour. Remote support (where applicable) and on-site support each will be billed at a 1 hour minimum with ½ hour increments during the standard business day, 8:00 am – 5:00 pm local time excluding Cross designated holidays. Remote and on-site support will be billed at a 3 hour minimum with ½ hour increments outside the standard business day. A minimum of a \$75 trip charge will be billed for all on-site support. Actual travel time required will be billed at the applicable rate. Hours billed at 1 ½ times the standard rate M-F 5:00 pm – 12:00 am local time and 2 times the standard rate M-F 12:00 am to 8:00 am, weekends and all Cross holidays.

Remote Cross engineering support for Supported Products (ACM and applicable adjuncts) - \$300 per hour. Remote support will be billed as applicable at a 1 hour minimum with ½ hour increments. Hours will be billed at 1 ½ times the standard rate M-F 5:00 pm – 12:00 am local time and 2 times the standard rate M-F 12:00 am to 8:00 am local time, weekends and all Cross holidays.

Remote Cross engineering support for non Supported Products (ACM and applicable adjuncts) - \$300 per hour. Remote support will be billed at a 2 hour minimum with ½ hour increments. Hours will be billed at 1 ½ times the standard rate M-F 5:00 pm – 12:00 am local time and 2 times the standard rate M-F 12:00 am to 8:00 am local time, weekends and all Cross holidays.

Remote Avaya engineering support for Supported Products - \$435 per hour. Remote Avaya support for Supported Products will be billed as applicable at a 1 hour minimum with ½ hour increments.

On-Site technician support for Supported Products with contracted On-Site maintenance coverage - \$240 per hour. On-site support will be billed for non-contracted service delivery on a Supported Product and for out of hours coverage on a Supported Product. On-site support will be billed at a 1 hour minimum with ½ hour increments during the standard business day, 8:00 am – 5:00 pm local time excluding Cross designated holidays. On-site support will be billed at a 3 hour minimum with ½ hour increments outside the standard business day local time.

On-Site Avaya technician support for Supported Products without contracted On-Site maintenance coverage - \$480 per hour. Avaya technician support is required when sourcing a part from an Avaya local SSL or where required to meet a contracted SLO. On-site support will be billed at a 1 hour minimum with ½ hour increments during the standard business day, 8:00 am – 5:00 pm local time excluding Cross designated holidays. On-site support will be billed at a 3 hour minimum with ½ hour increments outside the standard business day local time.

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On-Site non Avaya technician support for Supported Products without contracted On-Site maintenance coverage - \$300 per hour. Non Avaya technicians may be dispatched by Cross at Cross' discretion based on resource availability for non critical/urgent outages. On-site support will be billed at a 1 hour minimum with ½ hour increments during the standard business day, 8:00 am – 5:00 pm local time excluding Cross designated holidays. On-site support will be billed at a 3 hour minimum with ½ hour increments outside the standard business day local time. Hours billed at 1 ½ times the standard rate M-F 5:00 pm – 12:00 am local time and 2 times the standard rate M-F 12:00 am to 8:00 am local time, weekends and all Cross holidays.

On-Site non Avaya technician support for non Supported Products - \$300 per hour. Where an on-site resource is required for a non Supported Product, Cross will provide support with a non Avaya technician on a reasonable commercial effort basis as available. On-site support will be billed at a 2 hour minimum with ½ hour increments during the standard business day, 8:00 am – 5:00 pm local time excluding Cross designated holidays. On-site support will be billed at a 3 hour minimum with ½ hour increments outside the standard business day local time. Hours billed at 1 ½ times the standard rate M-F 5:00 pm – 12:00 am local time and 2 times the standard rate M-F 12:00 am to 8:00 am local time, weekends and all Cross holidays. A minimum of a \$75 trip charge will be billed for all on-site support. Actual travel time required will be billed at the applicable rate.

Avaya remote and on-site T&M support for non Supported Products – Where Cross engages Avaya (per Avaya policy and availability) on a customer's behalf to provide remote and/or on-site T&M support for a non Supported Product Avaya will invoice the customer directly based on Avaya's then current policies, rates, and minimums. As of 7/1/2010 Avaya will no longer provide T&M support to the customer of a BP without a minimum level of Avaya coverage on the particular product.

USE OF CROSSNET SUPPORT SERVICES HOURS FOR T&M MAINTENACE SERVICES

In accordance with their CrossNet Support Services contract a CrossNet Maintenance contract customer may use CrossNet Support Services Complete hours for the out of hours remote Cross support, the out of hours remote Avaya support, the out of hours on-site support and/or the on-site support of a Supported Products.

For non Supported Products CrossNet Support Services customer must exchange CrossNet Support Services Complete hours against the applicable T&M charges, trip charges, and travel charges based on Cross' then current exchange policy and exchange rates.

HARDWARE REPLACEMENT

Replacement hardware will be quoted and purchased separately following Cross' then current maintenance hardware process. CrossNet Support Services hours cannot be used in exchange to offset material or equipment costs. Material or equipment costs will be billed separately.