

## Specifications Surf'n'Talk/Universal

### 1 Standard Services

Within the framework of the existing technical and operational possibilities of Surf'n'Talk/Universal, TKS Telepost Kabel-Service Kaiserslautern GmbH & Co. KG (called TKS in the following) provides to its customers a Universal access with telephone flat rate for the German fixed network, the international flat rate "CountryFlat", a DSL 6000 access (with customer agreement even with a smaller transmission rate, if technically not otherwise feasible) and TKSSurf! for Internet access as well as Internet services with a flat rate for data transmission via the Deutsche Telekom DSL access.

If a customer utilizes the service beyond the specified scope of service free of charge, there is then no reasoning for claim and through a possible performance adjustment by the Deutsche Telekom for the customer gives neither a reason for reduction, reimbursement, compensation nor a right to cancel.

TKS provides the following services:

#### 1.1 Universal Access

TKS provides customer with an access that is for the connection of ISDN telecommunications equipment suitable, those that are support by a DSS1 protocol. For the connection the Deutsche Telekom assigns the customer in a network area and assigns the customer three call numbers which has been allocated to Deutsche Telekom by the Federal Network Agency (Bundesnetzagentur). Deutsche Telekom may also agree with customer on call numbers which customer has been allocated by another provider and which is portable to the Deutsche Telekom telephone network.

With a Universal connection is two connections at the same time possible.

Not allowed are applications, with which a connecting through of connections is not first requested e.g. will be technically prevented from the application

##### 1.1.1 Call Number Transmission

The call number of the Universal access is transmitted for all outgoing and oncoming calls unless customer requests permanent suppression of call number transmission. If the service feature call number transmission is activated, customer has the option to suppress transmission of the call number for individual calls. The feature suppression of call number is not possible for emergency calls to police and fire fighters.

##### 1.1.2 Callback on Busy

If the service features Callback on busy is activated, Deutsche Telekom will automatically initiate the connection to an access which customer unsuccessfully tried to reach earlier on as soon as this access is not busy any more.

Provided that this is possible for the requested access, customer may activate the service feature Callback on busy when trying to set up a connection. If this service feature may not be activated, the terminal equipment will be notified. Deutsche Telekom deactivates Callback on busy automatically if the requested access still cannot be reached after approximately 45 minutes.

##### 1.1.3 Call Waiting

During an existing connection incoming calls over a Universal access are signaled by an acoustic signal.

##### 1.1.4 Inquiry/ Alternating Between Lines

Two connections may be used alternatively over a basic channel from a Universal access without having to end one connection.

##### 1.1.5 Three-Party Conference

Two connections can be used at the same time over an utilizable channel one universal connection.

##### 1.1.6 Calling Line Identification Presentation (CLIP)

The call number of incoming phone calls is transmitted and shown on the customer's display unless call number transmission is suppressed.

##### 1.1.7 Recall by no answer

To one of the before dialed customers wished standard or universal connection of the Deutsche Telekom, in which the call was not received (no answer), a connection will be automatically made, after the desired standard or universal connection is tried, a connection made or accepted. The recall by no answer is from the customers over the universal connection by self input capable of being activated.

### 1.1.8 Call Forwarding

The Deutsche Telekom forwards the connections in the node of the Deutsche Telekom, arriving under the multiple call numbers universal of the connection. The arriving connections become according to the defined regulation of the customer for each multiple call number on the wished target

– immediately

– when busy

no reply within a period of approximately 20 seconds

during the ringing phase

forwarded

The Universal connection can forward simultaneously a maximum of two oncoming connections. Provided the target access is a Universal access, the information that the incoming call is a forwarded call will be transmitted. Under certain prerequisites the call number of the Universal access from which the call is being forwarded will also be transmitted.

Provided that the access from which the call is being forwarded is a Universal access, the information about the call forwarding will be transmitted to this access. Customer may activate and deactivate the call forwarding feature at customer's Universal access and all telephone accesses, Universal accesses and mobile phone accesses both within Germany and abroad. It is also up to the customer to determine the target access and the conditions under which calls are to be forwarded. Deutsche Telekom protects customer from unauthorized utilization of customer's call forwarding from telephone accesses within Germany by requesting customer's call numbers and customer's personal identification numbers (PIN).

### 1.1.9 Voice Box

Voice Box is provided to the customer free of charge, the scope of the provided service is described in the Voice Box Specifications.

## 1.2 Internet service the TKS and the Deutsche Telekom

### 1.2.1 Internet access TKSSurf!

TKS provides access to the worldwide web via a dynamic IP address and a flat rate for data transmission. The flat rate does not include telephony (VOIP telephony).

#### 1.2.1.1 Rate of transmission

The internet access will be with a transmission speed of up to 6 016 kbit/s Downstream (on the access line in the customer's direction) and up to 576 kbit/s upstream (on the access line from the customer's direction). Upon customer's request Deutsch Telekom provides internet access also in the event that customer's access doesn't allow transmission speeds of up to 6 016 kbit/s Downstream and up to 576 kbit/s Upstream, but if a transmission speed of up to 3 072 kbit/s Downstream and up to 384 kbit/s Upstream, or up to 2 048 kbit/s Downstream and up to 192 kbit/s Upstream, or up to 1 536 kbit/s Downstream and up to 192 kbit/s Upstream, from up to 1 024 kbit/s Downstream and up to 128 kbit/s Upstream, from up to 768 kbit/s Downstream and up to 128 kbit/s Upstream or from up to 384 kbit/s Downstream and up to 64 kbit/s Upstream is reached.

This service feature cannot be provided at all locations and must be verified and confirmed for each access individually. The actual transmission speed which can be reached at the customer's access depends on the actual physical conditions of the access line.

Among other factors the transmission speed during utilization depends on the network load of the Internet backbone and the transmission speed of the respective content provider's server.

#### 1.2.1.2 Authentication

For access to the internet there is required the entering of the user name and the user's personal identification number. Customer receives these data at the TKS Shop when the service is first provided. Customers who already have access data from a previous contractual relationship for TKSSurf! Internet services may continue using these data within the framework of Surf'n'Talk/Standard. In the event that PINs are entered incorrectly nine times within a period of 24 hours, the utilization of the service via these access data is blocked for 24 hours.

#### 1.2.1.3 Availability

The annual medium availability of DSL is 97.0 %.

After a 24-hour continuous utilization period the Internet connection is disrupted for technical reasons. An immediate reconnection to the Internet is possible.

#### 1.2.2.1 E-Mail Dispatch

Users can send a maximum of 100 e-mails within 24 hours and a maximum of 1,000 e-mails within a period of 30 calendar days. Each recipient is counted in calculating this limit. If the above-mentioned upper limits are surpassed when e-mails are sent from an e-mail account, the e-mails as a whole will not be transmitted and the sender will be notified of this fact.

#### 1.2.2.2 E-Mail Reception

Each e-mail mailbox has a storage capacity of 50 MB. Two personal e-mail addresses may be installed per user. E-Mails are stored on the server for a period of 90 days. If they are not retrieved during this time, they will be cancelled.

#### 1.3 Installation of the Deutsche Telekom Universal Access and Internet access

Deutsche Telekom installs a connection unit in the vicinity of the primary terminal equipment. This connection unit terminates the telephone network and makes it possible to connect terminal equipment. In case several DSL are provided within an in-house-network, there may be interferences and other problems when DSLs are used simultaneously. The installation of the access – especially the line routing within the telephone network/ Universal – is performed in accordance with current regulations for standard installation which are valid at the time of the installation.

If during the installation or in the course of the contract it is stated that the performance of the Internet access can be furnished only by a terminating line, this has to be newly installed. This move is when desired at the customers cost.

#### 2 Connections via Universal Access

With the help of connected terminal equipment customer may accept calls or have Deutsche Telekom set up calls to other accesses. In addition to Deutsche Telekom connections customer may also set up connections to other providers' accesses which are not subject matter of this contract. Connections with access codes 01 37, 01 38, 01 80, 0 18 88, 07 00, 0 08 08, 0 08 82 10 are exclusively set up by Deutsche Telekom and billed according to Price List Other Connections in the Telephone Network/ Standard.

Connections with access codes 1 18, 0 12, 01 81 to 01 89, 01 91 to 01 94 and 09 00 are exclusively set up by the network operator who has assigned customer the requested call number. Deutsche Telekom connections serve the purpose of transmitting voice services. However, they may also be used for the transmission of non-voice signals like e.g. telefax and data communication. Connections to accesses of other networks are also possible. Deutsche Telekom only sets up connections to accesses abroad to the extent that this is based on agreements with foreign administrations or recognized private operators.

Within the framework of existing technical and operational possibilities Deutsche Telekom connections are set up with an average connection probability of 97.0 %. Due to the economic dimensioning of the Deutsche Telekom telephone network/ Standard, customer must reckon with the fact that connections cannot be set up at any time.

The connecting prices of the Deutsche Telekom are divided in the calculation on the individual call numbers of the universal connection.

#### 3 Additional Services of Deutsche Telekom

Within the framework of existing technical and operational possibilities TKS may provide additional services upon request. Such services are subject to separate charges which are based on the currently valid price list at the time when services are ordered. The following additional services may be provided:

##### 3.1 Additional services for Universal access

Additional services for the Universal access are provided according to the currently valid specifications and the price list Additional Services for the ISDN multiple-equipment access.

##### 3.2 Additional Internet Services

###### 3.2.1 FastPath for the internet access

With FastPath a decrease of signal running times is reached by switching the error correction off during the data communication (Interleaving).

FastPath can be only over the Internet order.

###### 3.2.2 Upstream transmission rate of 384 for the internet access

Increase of Upstream transmission rate on up to 384 kbit/s, when the Internet access is desired from the customer with a transmission rate of up to 2,048 kbit/s Downstream and up to 192 kbit/s Upstream or of up to 1,536 kbit/s Downstream and up to 192 kbit/s Upstream.

###### 3.2.3 Upstream transmission rate of 512 for the internet access

Increase of Upstream transmission rate on up to 512 kbit/s, when the Internet access is desired from the customer with a transmission rate of up to 3,072 kbit/s downstream and up to 384 kbit/s Upstream.

### 3.2.4 Access to the Internet via other accesses or other connections

The Deutsche Telekom makes it possible for customers and co-users to get access to the Internet not only via DSL 6000 included in Surf'n'Talk /Universal, but occasionally also via other accesses or other connections in Germany or abroad.

Within Germany the following access options exist:

– Access to the Internet via ISDN-Modem / Universal with a transmission speed of up to 64 kbit/s from the Internet to the user and from the user to the Internet (Universal access).

In the event of B-channel bundling of an Universal access, a transmission speed of up to 128 kbit/s from the Internet to the user and from the user to the Internet is provided.

- Access via a GSM mobile phone network with a transmission speed of up to 9.6 kbit/s from the Internet to the user and from the user to the Internet.

Also the Deutsche Telekom has established within Germany and abroad the availability for accessing the Internet at their HotSpot locations. The usage of Hot spots is not a part of this contract. Therefore is the general terms and conditions price list „for Hot spots (Public WLAN) “ valid.

Non-permissible is the simultaneous use of the access data at several connections or other accesses.

If the Internet is accessed via analog modem/ ISDN, via Deutsche Telekom DSL or a GSM mobile phone network, for technical reasons the Internet connection is disrupted after a 24-hour continuous utilization period. An immediate reconnection to the Internet is possible. Provision of other accesses or other connections necessary for Internet access is not subject matter of this contract.

## 4 Service

Within the framework of existing technical and operational possibilities Deutsche Telekom performs fault-clearing of its technical equipment immediately. The following services are offered for the Standard access and Internet access:

### 4.1 24 h On-site Service

#### 4.1.1 Acceptance of fault reports

TKS accepts fault reports every day under its service call number and during the following times:

- Mo–Fri: 08.00 am - 9.00 pm

- Sat–Sun: 10.00 am - 9.00 pm

#### 4.1.2 Service Availability

Fault clearing service is available on working days (Monday through Friday) from 8.00 am till 8.00 pm and On Saturdays from 08.00 am till 4.00 pm, provided these days are not legal holidays.

#### 4.1.3 Setting up a fault-clearing appointment

If necessary, TKS sets up a fault-clearing appointment for the service technician's visit to customer's premises (on working days between 8.00 am and 2.00 pm or between 2.00 pm and 8.00 pm, on Saturdays between 8.00 am and 4.00 pm).

If the service cannot be provided within the agreed period of time for reasons that lie within the customer's responsibility, a new date is set. In the event that the service technician has to make an additional trip, extra travel costs may be charged. The fault-clearing period according to paragraph 4.1.6 doesn't apply.

#### 4.1.4 Reaction Time

Upon customer's request and provided that customer has left a phone number Deutsche Telekom informs customer during the service availability time (see paragraph 4.1.2) about a first interim result. This information is given within three hours (reaction time) after the problem has been reported. Times beyond the service availability time are not counted to be part of the reaction time. The service technician's visit of the customer's premises is also regarded as reaction.

#### 4.1.5 Feedback

Deutsche Telekom informs the customer after the fault has been cleared. If customer cannot be reached when Telekom first tries to get in touch, the fault-clearing period according to paragraph 4.1.6 is considered to have been kept. There will be further attempts to reach customer in regular time intervals.

#### 4.1.6 Fault-clearing periods

In the event of fault reports received during working days (Monday 0.00 am till Friday 8.00 pm), Deutsche Telekom will perform fault clearing within 24 hours (fault-clearing period) of the fault being reported by customer. For fault-reports received on Fridays after 8 pm, Saturdays, Sundays or legal holidays, the fault-clearing period starts on the following working day at 0.00 am. If the end of the fault-clearing period coincides with a legal holiday, the fault-clearing period is suspended and continued on the following working day.

The fault-clearing period is kept if the problem has been solved to the extent that the access may be utilized again, even if there are temporary quality impairments and if feedback is given according to paragraph 4.1.5.