

Prophecy Networks Limited

SERVICE SCHEDULE

BROADBAND SERVICE SCHEDULE

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SERVICE SCHEDULE – BUSINESS BROADBAND

This Service Schedule forms part of the Agreement between your company and Prophecy Networks Limited and should be read in conjunction with Prophecy Networks' Business Customer Terms and Conditions which can be found at <http://Prophecy.co.nz/about/terms-conditions.html>. In the event of any inconsistency between this Service Schedule and any other clause of the Agreement, this Service Schedule takes precedence.

1. SERVICE OVERVIEW

The Service Schedule applies to our customers to whom we have provisioned a Broadband Service. The Service Schedule applies to the first and any subsequent Services or Solution provisioned by Prophecy Networks.

Within this agreement, reference is made to "we" or "us" or "our" or "Prophecy Networks" for Prophecy Networks Limited providing services for you, "you" for the customer and "service" or "services" to cover all services and or hardware of any kind we provide and anything else we do.

The following Terms apply to our customers to whom we have provided a Broadband Service.

2. Service options

Prophecy Networks Broadband Services provide access to the internet by way of various access technologies.

2.1. Access Mediums

The types of access options available as follows:

- ADSL (Asymmetrical Digital Subscriber Line)
- VDSL (Very-high-bit-rate Digital Subscriber Line)
- UFB (Ultrafast Broadband) Fibre
- GSM (3G / 4G / 5G once available)

It is agreed that the Customer has selected the plan that is appropriate to the specific End User type (either business or residential) as defined by the LFC or access provider.

2.2. Access Throughput Options

Prophecy Networks may provide bespoke Broadband Services using alternative access speed options to meet customer requirements. The proposed speeds per service provisioned will be indicated within the Solution Proposal.

2.3. Data Usage Policies

Prophecy Networks is a provider agnostic company making use of multiple providers who in turn provide the same or similar types of service. Each of the providers may have Acceptable Usage Policies (AUP) / Fair Usage Policies (FUP) to which Prophecy Networks adhere to. These AUP's and / or FUP's will be communicated to the Customer upon acceptance of these terms and conditions.

2.4. Additional Services

When required, Static IP Address(es) can be provisioned via Prophecy Networks as part of the overall solution. The requirement for this service would be that Prophecy Networks either provides the Customer with Access services and internet breakout, or the Customer appoints Prophecy Network to take over the management of the existing service(s).

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3. Service terms

- 3.1. Customer agrees that they are bound by the Local Fibre Company's (LFC) End User Terms at the time of accepting these terms and conditions. The LFC's End User Terms relate to the provision and use of that part of the LFC's network which is located on the Customer premises. Customer will be notified who the LFC is upon acceptance of these terms and conditions. ([LFC's End User Terms](#)).
- 3.2. If required, Prophecy are able to provision the required broadband router (modem). The associated cost of the device will form part of the overall order placed on Prophecy Networks.
- 3.3. Early termination of services will carry a Balance of Contract that will be form part of the final invoice to the Customer.
- 3.4. Any commercial impact to either term or monthly billing will be communicated to the Customer prior to the implementation of such requested change.
- 3.5. Prophecy Networks access providers plan speeds are theoretical, meaning that the indicated maximum speeds of the chosen service is what the Customer endpoints may be able to operate at for the sending and receiving of data. Typical factors that could have an impact on the throughput of the links are:
 - i. Provider network congestion;
 - ii. Customer site physical location and distance from the relevant exchange;
 - iii. Customer router in combination with Customer access type;
 - iv. Equipment and software that the Customer uses in connection with the Broadband Service;
 - v. The quality, nature and capability of the underlining infrastructure; and
 - vi. general internet traffic.
- 3.6. Prophecy Networks and partnered access providers making use of upstream providers to deliver data to or from their networks. Due to this, we are unable to guarantee that the speeds provided to the Customer will be available at all times. During these instances Prophecy Networks will liaise closely with access providers and communicate to Customers accordingly.
- 3.7. Prophecy Networks does not undertake any guarantee of speeds or latency to Customer servers or applications outside of our network. All connections to externally hosted servers or applications are deemed best effort.
- 3.8. Service availability and / or network capacity is not guaranteed and is subject to availability at time of ordering.
- 3.9. Email and DNS/Hosting related services do not form part of the standard broadband offering.
- 3.10. Public or private IP addressing that has been provisioned as part of the Prophecy Networks solution will remain allocated to you until:
 - i. Termination of the Broadband service;
 - ii. Termination of the Master Agreement or this Service Schedule.
 - iii. Prophecy Networks or the supporting provider decides to change any IP address;

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