

Pricing and Notifications

Supplier is a company that receives traffic. **Client** is a company that sends traffic. Supplier and Client are hereinafter collectively referred to as **Parties**.

A. General issues

- A.1. Parties agree that each holds an exclusive right to set rates and that rate formation is independent from and may differ from the market pricing policy.
- A.2. Any Party has the right to initiate rate or codes modification by sending a written notification to the other Party (hereinafter referred to as «**Rate Notification**»).
- A.3. In case of rate changes for services provided by the Parties as well as changes in the list of services the Parties agree to send relevant notifications to the following e-mails:
- for **IPXP Europe s.r.o.:** rates@ipxp.net
 - for _____: _____

B. Notification content

- B.1. In case of any route rate changes the Supplier is obliged to clearly indicate the exact alteration of codes in the notification, such as:
- Code;
 - Route name;
 - Rate per minute;
 - Increment (1/1 — 1 second increments, 60/60 — sixty second increments or other) — for each code individually or all codes in total;
 - Status (rate increase; rate decrease; elimination from the price list of a code or subcode specified in the previous notifications; introduction of a new code or subcode to the price list; rate without change; blocked code);
 - Effective date — for each code individually or all codes included in this notification;
 - Status of the previously provided subcodes of this code (if they are subject to changes).

Each code must be written in a separate table cell of an attached file created in Comma Separated Values (CSV), Microsoft Excel (XLS) or OpenDocument Spreadsheet (ODS) format. CSV is preferred one due to limited number of rows (65536) and columns (256) in each sheet of other formats.

- B.2. The rate for the specific route should correlates with its appropriate code only. The route name is given for information purposes only.
- B.3. The traffic is routed to all the codes and subcodes provided by the Supplier. In this case the traffic is routed to the longest subcode provided by the Supplier for this destination. *For example, if the rate for code 234806 is 0.13 USD, and for code 23480 is 0.09 USD, the call on number 234806121212 will be billed at 0.13 USD. On all other codes beginning with code 23480* — at 0.09 USD.*
- B.4. Traffic to longer subcodes beginning with the basic code which are not specified in the price list, will be routed to the basic code. *For example, if the Supplier provided the code 1, but did not prescribe separately the code of Dominican Republic (1809), the call on number 1809121212 will be billed at the rate indicated for the basic code 1.* Such longer codes must be either blocked for traffic reception or specified separately together with an indication of their rates or status «**block**».

- B.5. If the Supplier provides a new fixed-line country code (hereinafter referred to as – «PSTN») (for example, 380), it is **obliged** to specify the status of mobile and country-city codes in the same notification, unless their rates are not different (higher or lower) from the PSTN rate. If the rates for mobile codes (38067, 38050 etc.) are not indicated separately in the price list, all the traffic there will be billed at the rate of PSTN, because the Supplier's notifications do not specify other cases.
- B.6. If the Supplier provides a code with certain non-operating subcodes it must clearly indicate such subcodes as blocked ones. The Client should block these subcodes on its side and should not route traffic there.
- B.7. Any traffic sent to a destination without a rate indication in the current price list will be subject to a rate of **10 (ten) U.S. dollars/min**.
- B.8. To avoid any misunderstandings and misinterpretations of the Rate Notification the Supplier is obliged to restate in the Rate Notification all the previously provided codes for the relevant country along with their status indication (increase, decrease, current, etc.). In case the notifying Party does not restate the subcodes' status they shall be charged at the rates quoted in previous rate notifications.
- B.9. Shorter (basic) codes, no matter if their rate is higher or lower than for subcodes, **do not substitute** the action of subcodes which continue to operate unless otherwise stated in a special notice by the Supplier. *For example, if the Supplier sends code 79 at 0.06 USD, and earlier it opened subcode 7903 at 0.04 USD, traffic on number 7903797979 will be billed at 0.04 USD, because there was no notification from the Supplier about deleting of this subcode, rate increase or its integration into a shorter (basic) code.*
- B.10. If the Supplier implies that the shorter code substitutes the effect of all longer subcodes provided earlier, it **must** specify it clearly in the notification to avoid double meaning:
- by providing a full list of subcodes which are subject to deletion and indicating the «**delete**» status;
 - or by indicating in the notification body that from the moment the notification enters into force all subcodes will be billed at the rate of the basic code (see paragraph B.11.)
- In case the status of subcodes is not specified the basic code is downloaded, but the subcodes are not deleted and thus billed on the basis of before indicated rates.
- B.11. In case of full replacement of the price list the Supplier must indicate in the **letter body** that current notification will **completely replace** the rates for either all destinations offered before or a certain destination within the country dialing code (for example, Uzbekistan 998). Example of such notice:

Dear Colleagues,

Officially we inform you about the change of rates and codes on traffic termination from September, 1, 2009.
Please, pay attention that traffic termination will be accepted **only to the pointed in this notification codes** and rates for the destination of Uzbekistan (998).
Previous rates and codes to these destinations should be **considered invalid**.

Notification about complete replacement of rates for a certain destination without specifying its code is considered invalid according to Paragraph B.2. of the present Appendix.

- B.12. If a certain subcode becomes non-operational and is to be removed from the price list, the Supplier can choose between 2 options:
- to send a Notice about rate increase for this subcode to the basic code rate;
 - or to send a Notice about closing of this subcode and its integration into a basic code (and also increase of the rate to the basic code rate).
- B.13. If the Supplier sends codes with «**no change**» status, the rates for these codes remain unchanged in the Client's billing system. Therefore, the Supplier takes responsibility to ensure that the rates for these codes correspond with the rates sent earlier.
- B.14. The Supplier agrees that the Client **is not** responsible for errors in the Supplier's notifications or billing system. If the Supplier sent incorrect rates and did not send clarification before the new date came into effect, the rates are considered valid and accepted and therefore are not subject to dispute or recount. *For example, if the Supplier sent a rate for code 1 equal to 0.01 USD without specifying prices for subcodes 1809, 1767 (Dominican Republic)*

in the price list, but accepted traffic to these subcodes, he can not demand a rate recount since he did not indicate these subcodes in the price list as separate.

- B.15. The Client agrees that the Supplier **is not** responsible for the errors in rates and codes uploading into the Client's billing system.
- B.16. In case the error in the Supplier's notification gives the possibility of double interpretation and misuse, the Client should ask the Supplier for **clarification and additional instructions**.

C. Effective dates

- C.1. The Parties agree that rate notifications will come into effect and invoices will be generated in the following time zones:
- from **IPXP Europe s.r.o.: GMT+0** (summer time: **GMT+1**)
 - from _____: **GMT** _____ (summer time: **GMT** _____)
- C.2. Increases become effective no earlier than **7 (seven) days** from the moment of notification of the Client.
- C.3. Decreases become effective immediately from the moment of notifying the Client.
- C.4. Code deleting becomes effective no earlier than **7 (seven) days** from the moment of notification of the Client.
- C.5. New codes, if they involve rate increase (*for example, a new code 7954 at the rate 0.580 USD is separated from code 79 Russia mobile at the rate 0.050 USD*), become effective no earlier than **7 days** from the moment of notification of the Client. If new codes do not involve any rate increase, they become effective from the moment of notification of the Client.
- C.6. A complete replacement of the price list or rates for a particular destination becomes effective no earlier than **7 (seven) days** from the moment of notification of the Client. A notification, marked as a full price list or rates replacement for a particular destination must have a single effective date.
- C.7. If the Supplier notifies the Client about changes due to become effective in **7 (seven) days**, and afterwards is willing to change rates for the same codes within the mentioned period of **7 (seven) days**, the Supplier shall indicate which rate shall be considered valid after the **7 (seven) days** notification period. *For example, the Supplier increased the rate for code 9989 from 0.060 USD to 0.063 USD and the change is due to become effective on April 21. Afterwards he decreased the rate for code 9989 from 0.060 USD to 0.058 USD effective on April 19. In this case the Supplier must indicate which rate will be considered valid after April 21. If the Supplier fails to provide such information, the lower rate will remain in effect*
- C.8. In case the Customer agrees to accept the Notice about removing a subcode or increasing its rate or a full price list replacement earlier than in **7 (seven) days**, the Supplier upon the receipt of a written confirmation from the Customer's manager has a right to send a notice with the corresponding changes.
- C.9. In cases when rate or code changes should become effective no earlier than **7 (seven) days** from the moment of notification of the Client, the day when the rate notification is sent by the Supplier is considered the first day of the notification period.
- C.10. In case all aforesaid terms of effectiveness as well as conditions of Section D of the present Appendix («Confirmation of rate notifications») are observed by the Supplier, the rates are not subject to dispute after the date they come into force.

D. Confirmation of rate notifications

- D.1. The Rate Notification receipt must be confirmed by the receiving Party. Otherwise the notifying Party is obliged to continue sending the Rate Notification until such confirmation is received.
- D.2. The notifying Party is obliged to ensure that the receiving Party receives and confirms the receipt of the Rate Notification
- D.3. If the Client failed to provide confirmation of the Rate Notification receipt before the effective date, codes with increased rates and new codes must be blocked until the Client confirms the receipt.
- D.4. In case of rate discrepancies whereas the Supplier did not receive the relevant confirmation from the Client the discrepancy is deemed as occurred on the Supplier fault and is not subject to dispute.

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- D.5. The codes with a rate decrease come into force regardless of the fact whether the Rate Notification confirmation was received or not.
- D.6. In case of confirmation of rate notification by the Client these rates are not subject to dispute after the date they come into force.

E. Technical prefixes and tariff plans

- E.1. If Supplier provides different tariff plans which differ by technical prefix (*for example, standard price list with prefix #11 and premium price list with prefix 0647*), Supplier **must** specify the technical prefix in each rate notification. Otherwise the price list will not be accepted for any tariff plan and notification will be considered invalid.
- E.2. Notifications where technical prefix is not specified will be accepted as the «no prefix» tariff plan, unless the use of a certain default prefix is provided by the Supplier in the agreement or technical form.

F. International numbering plan change

- F.1. When international dialing codes are changed (*for example, Kazakhstan country-code is changed from 73 to 77*), the Supplier must send a notification indicating the closure of old codes and introduction of new ones. Otherwise no default change will be performed in the Client's billing system.
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Company: **IPXP Europe s.r.o.**
Print name: *Volodymyr Dinkevych*
Position: *Director*
Signature: _____
Date: _____

Company: _____
Print name: _____
Position: _____
Signature: _____
Date: _____