

Dark Fibre

Service description

The Dark Fibre service constitutes the installation and maintenance of a fibre optic cable end to end between two addresses in the Hull area. No active equipment is supplied, and the service is not managed nor monitored. This product is governed by the Reference Offer for the Provision of Dark Fibre.

Charges

Charge Type	Feature	Operative Date	Until	Connection Charge Ex VAT
Standard Connection Charges	Single Fibre	01/08/2022		£2,988
	Dual Fibre	01/08/2022		£5,976
A-end or B-end shift	Single Fibre	01/08/2022		£1,494
	Dual Fibre	01/08/2022		£2,988
Diversity - Additional diverse path	Single Fibre	01/08/2022		POA
	Dual Fibre	01/08/2022		POA
Excess Construction Charges*	Network Extension	01/08/2022		POA
Excess Construction Charges**	Network Adjustment	01/08/2022		POA

* Standard Connection Charges operate for all connections. Excess Construction Charges (ECCs) will only be charged for additional costs incurred over the threshold of £2,800.

** ECCs for Network Adjustments will only be applied where it is not reasonable for KCOM to undertake a Network Adjustment, but where KCOM has decided commercially to supply. Please refer to the Reference Offer for the Provision of Dark Fibre for further details.

For each day or part day KCOM is late in meeting the Proposed Start Date, the CP has the right to claim compensation of 0.5% of the Connection Charge (the daily sum) subject to a maximum claim of 30% of the Connection Charge (60 x the daily sum).

Charge Type	Feature	Operative Date	Until	Rental Charge p.a. Ex VAT
Standard Annual Rental Charges	Single Fibre	01/08/2022	31/03/2024	£2,454
		01/04/2024		£2,699
	Dual Fibre	01/08/2022	31/03/2024	£4,908
		01/04/2024		£5,399
Diversity - Additional diverse path	Single Fibre	01/08/2022		POA
	Dual Fibre	01/08/2022		POA

Time Related Charges (TRC) –

Call out, Visit, Missed Appointment Fee and Expedite charges

Time Related Charges are payable where the CP requests the additional Services as set out in the table below.

Call Out charges	Operative Date	Until	Standard Visit Charge (For Each Site visit) Ex. VAT	Hourly Rate (per hour or part thereof) Ex. VAT	Minimum hours	Minimum Call Out charge Ex. VAT
Call Out charge*	01/08/2022		£83.00	£71.00	1	£154.00
Missed Appointment Fee**	01/08/2022		£83.00	N/A		
Expedite Charge***	01/08/2022		POA			

If we have made a scheduled appointment with you for an installation or faults visit, you may be charged a Missed Appointment Fee if an engineer has been despatched to your premises and:

- The appointment is cancelled by you after the engineer has been despatched to your premises
- The person in attendance is under the age of 18
- There is no one at the premises
- There is no one at the premises who knows what work is required
- You ask the engineer to call back at an alternative time
- The engineer is refused entry

* Visit Charge for No KCOM Fault Found or Visit Charge for requested work

** Missed Appointment Charges & Expedite charges would still be raised where an Expedite is requested which cannot be fulfilled due to the Missed Appointment reasons above.

***Expedite arrangements are subject to agreement with KCOM

Excess Construction Charges

Where the supply of new fibre constitutes a Network Extension to KCOM's Network, then, at KCOM's sole discretion KCOM will assess the commercial feasibility of supplying new fibre but there shall be no obligation for KCOM to supply the Dark Fibre service. Where KCOM decides to provide a Network Extension, this will be provided on payment of an Excess Construction Charge. Where a Network Adjustment is not reasonable but KCOM chooses to supply it, then Excess Construction Charges may be payable. Where a Network Adjustment is reasonable, no Excess Construction Charges will be payable. Excess Construction Charges may also be payable for Diversity. Please refer to the Reference Offer for the Provision of Dark Fibre for further details.

Cancellation Payments prior to the Proposed Start Date

Cancellation Payments will be raised for KCOM’s reasonable costs in preparing to provide the Services, subject to KCOM’s right to recover the full cost of any additional work e.g. duct or junction fibre upgrades which have been specifically incurred for the Order by the time of the cancellation (please see Additional Note (a) below).

Cancellation Payments will be raised if an Order for Dark Fibre has been received from the CP and the Order is subsequently cancelled prior to the Proposed Start Date (“PSD”). The Cancellation Payment is calculated based upon the number of clear Working Days between the date the cancellation request for the Order is received by KCOM and the PSD. In the circumstances specified in Schedule 2, KCOM may cancel the Order when the Order has been suspended for a period of more than 90 cumulative calendar days.

The Cancellation Payment is expressed as a percentage of the total Connection Charge as follows:

Clear Working Days before PSD	Operative Date	Percentage of Connection Charge %
2 or less	01/08/2022	90
3 – 21	01/08/2022	75
22 – 29	01/08/2022	60
30 – 35	01/08/2022	30
36 or more	01/08/2022	0

Additional Notes:

- (a) The full cost of any additional work, e.g. duct or junction fibre upgrades, which have been specifically incurred for the Order by the time of the cancellation, will be recovered in addition to the Cancellation Payment.
- (b) The cancellation must be given in writing by the CP, and the date upon which KCOM receives the cancellation shall be used for the purpose of calculating the Cancellation Charge payment.
- (c) Cancellation Charges will not be payable where the CP has the right to cancel the Order without penalty. See Schedule 2 for details of these circumstances.
- (d) Additional Cancellation Charges may be payable for Diversity.

Termination Payment

A Termination Payment is payable if the Service is terminated in certain circumstances within the Initial Term. The Termination Payment will be the residual Rental Charges payable until the end of the Initial Term. If an Order is terminated before the Actual Start Date, no Termination Payment is payable.

For Diversity, Termination Payments will not be payable in the circumstances set out in the Reference Offer. However, if there is no right to penalty free early termination, there may be Termination Payments for Diversity in addition to the residual Rental Charges if KCOM has incurred additional costs in providing these services.