

3/26/07 5:30 CST

Exhibit B
Service Level Agreement

NETWORK SERVICE LEVEL COMMITMENTS

Network Service Levels provided by Licensee on the Network licensed by this Agreement shall meet the following requirements. All performance criteria specified below shall be measured based on a monthly average and will exclude outages caused by third party circuit providers, the City, or other failures or outages not within the reasonable control of Licensee. In no case will a failure to meet these service levels constitute a Major Default.

1.1 Network Coverage will be made available as required by the Agreement and the following standards shall apply:

i. 95% outdoor coverage will be made available in the mutually agreed to Coverage Area except for Excluded Areas using a 33dBm EIRP client. Licensee will target achieving this coverage with a 22-25 dBm EIRP client. In the event that Licensee does not meet the outdoor coverage target, Licensee will submit a written plan to the City to reach this target.

ii. 90% indoor coverage, as measured on 1st and 2nd floors of buildings in a room on an outer edge of a building, at a non-metallic glass window facing the street, with a 35dBm EIRP client.

1.2 Network Availability – The Network elements as described below shall be available to allow connections and data transit upstream and downstream within the following parameters:

- a. Mesh Access Layer is that portion of the Network that includes the Tropos (or equivalent) nodes and connectivity to the client and will be provided at 99.9% availability.
- b. Capacity Injection Layer includes Canopy (or equivalent) access points and gateway modules which may be used to provide capacity to the Tropos (or equivalent) nodes at light posts and may also be used to provide fixed wireless-type services to government, commercial and institutional subscribers and will be provided at 99.9% availability.
- c. Backhaul Layer includes wireless backhaul towers, terrestrial circuits and fiber backhaul facilities and will be provided at 99.9% availability.
- d. POP Layer is the Provider's Point of Presence connection to the public Internet backbone and will be provided at 99.999% availability.

**DOCUMENT CONTAINS CONFIDENTIAL TRADE SECRETS AND PROPRIETARY
INFORMATION PROTECTED FROM PUBLIC DISCLOSURE**

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1.3 Network Throughput - The Licensee shall provide a standard Wi-Fi Service product to Subscribers which provides a technically feasible effort to achieve an average 1 megabit per second (“Mbps”) downstream and 1 Mbps upstream data transmission rate from the client device to the edge router of the Network.

1.4 Network Security – The Network will support multi-layered security protocols and methods for each layer of the Network including the Mesh Access Layer, Capacity Injection Layer, Backhaul layer and POP Layer using industry standard mechanisms to prevent or mitigate the risk of hackers, spammers, denial of service and other forms of malicious attacks on or through the Network. The Network shall use industry proven authentication and encryption technologies that will provide appropriate protection for data transmissions. Current examples of this include WPA2, DES and AES solutions.

1.5 These service levels may be modified from time to time as mutually agreed by the Director and Licensee.