Co-Mingling

Agreement

Date   29/12/2018

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BRUTELE Co-Mingling Agreement

Between

Beneficiary, a company incorporated under the laws of …, with registered office and place of business at …, registered with the Register of Commerce of … under number ….

(hereafter referred to as "Beneficiary")

On one side,

And

BRUTELE S.C ., a company organised under the laws of Belgium, with registered office and place of business at 29, rue de Naples, 1050 Bruxelles, with registered number 205.954.655;

Hereafter referred to as **BRUTELE**

On the other side,

witnesseth as follows,

Whereas Beneficiary wishes to obtain from BRUTELE the Co-Mingling Services in respect of a Co-Mingling Area located in a Co-Mingling Zone as defined in the present Agreement (the Service) for the purpose of the execution of the BRUTELE Reference Offer.

Whereas Beneficiary is an undertaking authorised to practice the activities covered by these agreements under the Belgian regulatory framework;

Whereas BRUTELE is an authorised public network operator;

Whereas BRUTELE has developed the Co-mingling Services and intends on offering it to Beneficiary according to the terms, price and other conditions as described in this Agreement.

Whereas the Parties recognise that the equipment installed in the Co-Mingling Area includes the Beneficiary's transmission facilities, which are part of the Beneficiary's Network, Co-Mingling Services primarily addressing the needs of Public Network Operators.

It is agreed as follows,

1. Purpose

By the signature of the present Agreement, the Parties agree that the Service will be provided in accordance with the following appendices as available on the web site of BRUTELE at the date of signature of the present Agreement and as these appendices will be amended from time to time by BRUTELE in accordance with the regulatory framework:

     i.   General Terms and Conditions
     ii.   Technical Specifications
     iii.   Form (template): A. Co-Mingling Quotation Request Form

                               B. Co-Mingling Quotation Form

                               C. Co-Mingling Order Form

                               D. Co-Mingling Acceptance Form

     iv.   Code of Conduct
     v.   Price List Co-Mingling
     vi.   SLA Co-Mingling

2. The Service

This Agreement specifies the individual Colocation Service to be made available by BRUTELE in the relevant BRUTELE Technical Building and the relevant Colocation Room in accordance with Annex I (Co-Mingling Quotation Form) and Annex II (Co-Mingling Order Form).

3. Content and Annexes

This Agreement includes the two following Annexes dully completed:

Annex I: Co-Mingling Quotation Form (if relevant)
Annex II: Co-Mingling Order Form

4. Notices

Any written notification that must be addressed by virtue of the present Agreement must be sent to:

For BRUTELE: …

For Beneficiary: …

5. Duration of the Agreement

Both Parties will execute this Agreement as of the date of signature for an initial term of 1 year. After this period the Service will be automatically extended for an undefined period in accordance with the General Terms and Conditions.

6. Miscellaneous

The provisions of the 'BRUTELE Reference Offer' Agreement concluded between the Parties on [contract-date] shall apply to this Co-Mingling Agreement, unless and in so far as the parties have explicitly agreed otherwise, in writing, in the present Co-Mingling Agreement. For the sake of clarity, it is confirmed that, without being exhaustive, the following provisions of the 'Agreement' remain applicable to the present Agreement: the provisions relating to Force Majeure, Confidentiality, Amendment and Revisions, Suspension, Termination for default, Dispute Resolution, the Miscellaneous section.

In witness whereof, Beneficiary and BRUTELE have caused the Agreement to be executed in two (2) original copies, each Party acknowledging having received its original copy, by the hands of their duly authorised officers, on the date and year written below and including the Annexes.

For BRUTELE

_____

By: ...

Title: ...

Date:...

_____

For Beneficiary

_____

By: ...

Title: ...

Date: ...

_____