

1 Introduction

This document provides information related to the Open Internet, in accordance with Regulation (EU) 2015/2120 of the European Parliament and the European Council.

The regulation in question concerns measures to ensure that the Internet is open to all and accessible by all means in a non-discriminatory manner.

This document is an integral part of the contract between the Customer and Datacenter Luxembourg and is valid for all Datacenter Luxembourg fixed Internet access offers.

This section contains general information about the quality of the Internet Access Service, the traffic management measures that Datacenter Luxembourg implements and the remedies available in the event of a significant deviation from the actual performance of the service.

2 Internet traffic management

Datacenter Luxembourg is taking proactive measures to limit the risk of internet saturation on its network.

This permanent analysis of the network occupation allows Datacenter Luxembourg to adapt the dimensioning of its fixed network where necessary, in order to provide its customers with an optimal and continuous service.

However, despite the measures adopted, sporadic saturation of the network cannot be ruled out.

Customers will notice a slowdown in their internet traffic.

This latency manifests itself, for example, in a jerky playback of an online video or a longer download (sending and receiving) time for a web page or a document.

Obviously, such latencies can also be due to the Client equipment (PC/laptop or smartphone) operating for one reason or another.

It should also be noted that data transmitted over the Internet can be categorized to allow, e.g., in case of network congestion or to preserve network integrity, certain categories of services to be prioritized over others, such as those where small delays in transmission impact quality of service.

Thus, in case of potential congestion, the VOIP/SIP service can be prioritized over e-mail transmission.

If implemented, these traffic management measures have an identical impact on the operation of the applications, regardless of the terminal used by the Customer (e.g. smartphone or desktop computer).

3 Volumes, Speeds and Debits for Fixed Internet Access Services

3.1 Volume

The volume included in the services delivered by Datacenter Luxembourg is unlimited.

3.2 Speeds and flows

Speeds and throughputs are dependent on several factors, including the terminal used.

Indeed, laptops or smartphones must be able to handle the speeds.

Another important element is the copper infrastructure.

Unlike fibre optics, which can carry a light signal over long distances without attenuating the signal, copper works on the basis of electrical pulses to carry the signal.

On the copper network, this signal weakens with the distance between the interconnection point of the Datacenter Luxembourg network and the termination point installed in the Customer's building.

Furthermore, the quality of the internal cabling in this building may strongly influence the data rates actually observed by the Customer.

As a result, the advertised throughputs cannot be guaranteed under all circumstances.

The network load during peak hours is also an important point that can influence the flow rate observed in the Customer's building.

The actual speed, which you can reach, depends on the following technical factors:

- The distance between the connection point and the Customer building ;
- The underlying DSL/FTTH technology;
- The ordered internet service;
- System load during peak hours ;
- The quality of the internal wiring ;
- The processor power of your device ;
- Simultaneous use of your bandwidth by multiple devices.

Only when all of the above parameters are optimal will you be able to reach the maximum theoretical and advertised speed.

3.3 Fixed Internet Offers : Description table

Here are the different speeds according to Regulation (EU) of 25 November 2015 (2015/2120) for the fixed internet offers of Datacenter Luxembourg :

Service Offer	Infrastructure	Advertised/Maximum Speed		Normally/Minimum Speed
		Downstream	Upstream	Downstream / Upstream
EmiosFiber XS	xDSL	20 Mbps	768 Kbps	During peak hours* 30 % of maximum speed During off-peak hours* 70 % of maximum speed
EmiosFiber S	xDSL	30 Mbps	10 Mbps	
EmiosFiber XS	FTTH/EHC	20 Mbps	768 Kbps	During peak hours* 70 % of maximum speed During off-peak hours* 90 % of maximum speed
EmiosFiber S	FTTH/EHC	30 Mbps	10 Mbps	
EmiosFiber M	FTTH/EHC	100 Mbps	50 Mbps	
EmiosFiber L	FTTH/EHC	500 Mbps	250 Mbps	
EmiosFiber XL	FTTH/EHC	1 Gbps	500 Mbps	
DIA Business S	FTTH/EHC	30 Mbps	10 Mbps	
DIA Business M	FTTH/EHC	100 Mbps	50 Mbps	
DIA Business L	FTTH/EHC	500 Mbps	250 Mbps	
DIA Business XL	FTTH/EHC	1 Gbps	500 Mbps	
DIA Business 100	FTTH/EHC	100 Mbps	100 Mbps	
DIA Business 200	FTTH/EHC	200 Mbps	200 Mbps	
DIA Business 500	FTTH/EHC	500 Mbps	500 Mbps	
DIA Business G-M	FTTH/ECS	100 Mbps	50 Mbps	
DIA Business G-L	FTTH/ECS	500 Mbps	250 Mbps	
DIA Business G-XL	FTTH/ECS	1 Gbps	500 Mbps	
DIA Business G-100	FTTH/ECS	100 Mbps	100 Mbps	
DIA Business G-200	FTTH/ECS	200 Mbps	200 Mbps	
DIA Business G 500	FTTH/ECS	500 Mbps	500 Mbps	
DIA Business G-1000	FTTH/ECS	1 Gbps	1 Gbps	
DIA Business G-2000	FTTH/ECS	2 Gbps	2 Gbps	
DIA Business G-5000	FTTH/ECS	5 Gbps	5 Gbps	
DIA Business G-10000	FTTH/ECS	10 Gbps	10 Gbps	
DIA PRO 100	FTTH/ECS	100 Mbps	100 Mbps	
DIA PRO 200	FTTH/ECS	200 Mbps	200 Mbps	
DIA PRO 500	FTTH/ECS	500 Mbps	500 Mbps	
DIA PRO 1000	FTTH/ECS	1 Gbps	1 Gbps	
DIA PRO 2000	FTTH/ECS	2 Gbps	2 Gbps	
DIA PRO 5000	FTTH/ECS	5 Gbps	5 Gbps	
DIA PRO 10000	FTTH/ECS	10 Gbps	10 Gbps	

*Peak hours are between 20:00 and 22:00

4 Remedies Available to the Customer

If you have any questions or complaints about our "NET NEUTRALITY & FIXED INTERNET ACCESS SERVICE QUALITY" policy, you can contact our support at the email address listed on your contract and/or Service Delivery Notice issued at the time of service installation.

If the answers provided by Datacenter Luxembourg and/or in case of absence provided within 1 (one) month, the customer can :

- use the mediation procedure with the ILR using the form that can be downloaded from its website <https://web.ilr.lu/Mediation/FR/Mediation/Pages/HomePage.aspx> when the dispute concerns electronic communications services;
- in all other cases, and at the initiative of either the Customer or Datacenter Luxembourg the dispute may be submitted to the Consumer Mediator or, alternatively, to the Civil and Commercial Mediation Centre (<http://www.cmcc.lu/>)

Finally, if none of the mentioned mediation procedures is initiated or does not result in an agreement between the Customer and Datacenter Luxembourg with respect to the Customer's complaint, the courts of the Grand Duchy of Luxembourg shall have sole jurisdiction.