

ATISN 11921

Information released since the redacted contract was released

7.1.4 Cost of Passing Premises: Where the Grantee reasonably believes the Eligible Costs of achieving Premises Passed for a Premises exceed the Premises Cap, the Grantee shall inform the Welsh Ministers of that cost and recommended alternative forms of implementation (together with costs), so that the Welsh Ministers can consider whether:

7.1.4.1 to continue with the implementation of those Premises as planned, provided that agreement is reached as to the payment of any additional costs; or

7.1.4.2 an alternative form of implementation is to be pursued, provided that agreement is reached as to the payment of the costs of such implementation; or

7.1.4.3 to defer implementation of those Premises to a later date with consequent changes to the relevant Quarterly PP Target and Annual Implementation Targets; or

7.1.4.4 to remove the affected Premises and de-scope the Contract Intervention Area accordingly, with the effects of such de-scoping being subject to the Review Procedure,

provided that any decision by the Welsh Ministers in respect of the options outlined above must be taken by 31st January 2015, otherwise the affected Premises will be deemed to be removed and the Contract Intervention Area will be de-scoped in accordance with clause 7.1.4.3 above

and provided that if the Implementation Works have already reached the Premise Cap Maximum then the Welsh Ministers will at the request of the Grantee remove the Premises from the calculation of Broadband Coverage, Annual Implementation Target and Quarterly PP Target and the Grantee shall not be liable in any way for failure to achieve Premises Passed in respect of those Premises.

20.2 Exclusive remedy: The Welsh Ministers acknowledge that the remedies outlined at clauses **Error! Reference source not found.** and **Error! Reference source not found.** above shall be the Welsh Ministers' sole and exclusive remedies if the Grantee fails to achieve the Broadband Coverage specified in each of those sub-clauses at the Drop Dead Date.