

**CTC Communications Corp.**  
**d/b/a EarthLink Business**  
PSC No. 3 - Telephone  
Effective Date: September 10, 2012

Leaf 39  
Revision: 0  
Superseding Revision:

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ACCESS SERVICES TARIFF

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SECTION 2 - GENERAL REGULATIONS (CONT'D.)

2.4 Responsibility of the Company (Cont'd)

2.4.2 Liability of the Company (Cont'd.)

- D. The Company shall not be liable for any act or omission of any entity furnishing to the Company or to the Company's Customers facilities or equipment used for or with the services the Company offers.
- E. The Company shall not be liable for interruptions, delays, errors, or defects in transmission or for any injury whatsoever, caused by the Customer, the Customer's Agents or Authorized Users or by facilities or equipment provided by the Customer.
- F. The Company does not guarantee nor make any warranty with respect to installations it provides for use in an explosive atmosphere. The Customer indemnifies and holds the Company harmless from any and all loss, claims, demands, suits, or other action, or any liability whatsoever, whether suffered, made, instituted, or asserted by any other party or person(s), and for any loss, damage, or destruction of any property, whether owned by the Customer or others, caused or claimed to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, removal presence, condition, location, or use of any installation so provided. The Company reserves the right to require each Customer to sign an agreement acknowledging acceptance of the provisions set forth in Section 2.1.3, preceding, as a condition precedent to such installations.
- G. The Company is not liable for any defacement of or damage to Customer premises resulting from the furnishing of services or equipment on such premises or the installation or removal thereof, unless such defacement or damage is caused by negligence or willful misconduct of the Company's agents or employees.