

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

Leaf 28  
Revision: 0  
Superseding Revision:

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ACCESS SERVICES TARIFF

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SECTION 2 - GENERAL REGULATIONS (CONT'D.)

2.1 Undertaking of the Company

2.1.2 Shortage of Equipment or Facilities

The Company reserves the right to limit or to allocate the use of existing facilities, or of additional facilities offered by the Company, when necessary because of a lack of facilities, or due to any other cause beyond the Company's control.

2.1.3 Terms and Conditions

- A. Service is provided Seven (7) days a week, Twenty-Four (24) hours a day. For the purpose of computing charges in this tariff, a month is considered to have 30 days.
- B. Customers may be required to enter into written service orders which shall contain or reference a specific description of the service ordered, the rates and charges, the duration of the services and the terms and conditions in this tariff. Customers will also be required to execute any other documents as may be reasonably requested by the Company.
- C. In any action between the parties to enforce any provision of this tariff, the prevailing party shall be entitled to recover legal fees and court costs from the non-prevailing party in addition to other relief a court may award.
- D. This Tariff shall be interpreted and governed by the laws of the United States without regard for its choice of laws provision.