

Choice One Communications of New York, Inc.
d/b/a EarthLink Business
PSC No. 4 - Telephone
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NETWORK INTERCONNECTION SERVICES TARIFF

SECTION 1 - TARIFF INFORMATION AND GENERAL REGULATIONS (CONT'D.)

1.8 Changes and Substitutions

1.8.1 Customer Notification and Substitutions

- A. The Telephone Company may, where such action is reasonably required in the operation of its business perform the following actions.
1. Substitute, change or rearrange any facilities used in providing service under this tariff, including but not limited to the following.
 - a. Substitution of different metallic facilities.
 - b. Substitution of carrier or derived facilities for metallic facilities used to provide other than metallic facilities.
 - c. Substitution of metallic facilities for carrier or derived facilities used to provide other than metallic facilities.
 2. Change minimum protection criteria
 3. Change operating or maintenance characteristics of facilities
 4. Change operations or procedures of the Telephone Company.
- B. In case of any such substitution, change or rearrangement, the transmission parameters will be within the range of the facilities being substituted, changed or rearranged. The Telephone Company shall not be responsible if any such substitution, change or rearrangement renders any LEC furnished services obsolete or requires modification or alteration thereof or otherwise affects their use or performance. If such substitution, change or rearrangement materially affects the operating characteristics of the facility, the Telephone Company will provide reasonable notification to the LEC in writing. Reasonable time will be allowed for any redesign and implementation required by the change in operating characteristics. The Telephone Company will work cooperatively with the LEC to determine reasonable notification requirements.
1. The Telephone Company is not responsible for any additional costs incurred by the LEC as result of such changes or substitutions.