

TALK AMERICA INC.
d/b/a Cavalier Telephone
d/b/a PAETEC Business Services
PSC NO 2 – Telephone
Effective Date: July 5, 2012

Leaf: 194
Revision: 0
Superseding Revision:

LOCAL EXCHANGE SERVICES TARIFF

SECTION 7 - SPECIAL SERVICES AND PROGRAMS, (Cont'd.)

7.6 New York Relay Service, (Cont'd.)

7.6.3 Liability

The Company contracts with an outside provider for the provision of this service. The outside provider has complete control over the provision of the service except for the facilities provided directly by the Company. In addition to other provisions of this Tariff dealing with liability, in the absence of gross negligence or willful misconduct on the part of the Company, the Company shall not be liable for and the Customer, by using the service, agrees to release, defend and hold harmless for all damages, whether direct, incidental or consequential, whether suffered, made, instituted or asserted by the Customer or by any other person, for any loss or destruction of any property, whatsoever whether covered by the Customer or others, or for any personal injury to or death of, any person. Notwithstanding any provision to the contrary, in no event shall the Company be liable for any special, incidental, consequential, exemplary or punitive damages of any nature whatsoever.

Issued by: Vice President – Regulatory Affairs, Richmond, Virginia 23277