

C. Regulations (Continued)

7. Liability of the Carrier

Due to the unavailability of errors incident to the services and to the use of the facilities furnished by the carrier, the services and facilities furnished by the carrier are subject to the terms, conditions and limitations set forth herein.

- a. No liability of any nature whatsoever, including but not limited to consequential damages, shall attach to the carrier for damages arising from errors, mistakes, omissions, interruptions, or delays of the carrier, or its agents, servants or employees, in the course of establishing, furnishing, rearranging, moving terminating, or changing regulated or non-regulated service or facilities (including the obtaining or furnishing of information in respect thereof or with respect to the subscribers or users of the service or facilities) in the absence of gross negligence or willful misconduct.
- b. The carrier is not liable under any circumstances for any act, omission, error, mistake, interruption or delay of any connecting carrier or Local Exchange Carrier or its agents, servants or employees; nor will the carrier have any such liability for providers or connections, equipment, facilities, or service other than the carrier or its agents, servants or employees.
- c. The carrier will not be liable under any circumstances for any act, omission, error, mistake interruption or delay of any person or entity owning telecommunications facilities used by the customer in conjunction with the carrier's service; or for the culpable conduct of the customer, its agents, servants, employees, invitees, or guests, or failures of equipment, facilities or connections provided by the customer.