

**XAND CLEC, LLC**  
**NY P.S.C. Tariff No. 1 - Telephone**  
**Initial Effective Date: October 31, 2012**

**Leaf No. 36**  
**Revision: 0**  
**Superseding Revision:**

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**3. RULES AND REGULATION (CONT'D)**

- 3.5 Interruption of Service.** Credit allowances for the interruption of the Services are subject to the general limitation and liability provisions set forth in Sections 3.2 and 3.3 of this Tariff. It shall be the obligation of the Customer to notify the Company immediately of any interruption in Services for which a credit allowance is desired. Before giving such notice, the Customer shall ascertain that the trouble is not being caused by any action or omission by the Customer within his control, or is not in wiring or equipment, if any, furnished by the Customer.

With respect to Private Line Services, a credit allowance will be made when an interruption occurs because of a failure of any component furnished under this Tariff. An interruption is considered to have occurred when the Customer reports a circuit or arrangement to be inoperative, releases it for testing and repair and the Company determines that it is inoperative. A circuit is considered inoperative when the Company determines that continuity has been lost or that the service is operating at a performance level of 4320 or more seconds of transmission containing errors in a consecutive 24-hour period, for DS-1 Service, or 1728 error seconds in a consecutive twenty-four hour period for DS-3 Service. When this service is provided end-to-end fiber optic facilities, the service shall be considered inoperative if it is determined by the Company that continuity of its facilities has been lost or that the Company's service is operating at a performance level of 1728 or more seconds of transmission containing errors in a consecutive 24-hour period. If the Customer reports and interruption but declines to release the circuit for repair and continues to use it, the circuit is considered to be impaired, not inoperative, and no credit allowance is made. An interruption period starts when an interruption is reported to the Company and ends when the circuit or arrangement is operative. In certain instances, the Customer may be asked to surrender a circuit for purposes other than maintenance, testing or activity relating to a service order. If the Customer consents, a credit will be given. The credit will be determined in the same manner as an allowance for any circuit interruption.

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**Issued By: President, 11 Skyline Drive, Hawthorne, NY 10532**