

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

Leaf No. 38
Revision: 0
Superseding Revision:

3. RULES AND REGULATION (CONT'D)

3.7 Obligations of the Customer.

- 3.7.1. Entry.** The Customer shall make Company-provided facilities on Customer Premises available upon reasonable notice from Company (which notice shall be in writing, except in emergency situations), for such tests, adjustments, and inspections as may be necessary to maintain such facilities in satisfactory condition or to determine whether the requirements of this Tariff are being complied with in the installation, operation and maintenance of Customer's or Company's equipment. The Customer shall permit or obtain permission for the Company employees and agents to enter Customer Premises at any hour under mutually agreeable arrangements for the purpose of maintaining or repairing Company-provided facilities. Customer shall make Company-provided facilities available for installation, periodic maintenance or removal at all times.
- 3.7.2. Preservation of Rights.** The Customer shall provide for the Company's rights under this Tariff in any and all agreements or arrangements with third parties.
- 3.7.3. Permits.** The Customer shall secure all permits, licenses, rights-of-way, services, variances and other arrangements necessary to allow for the installation and operation of the Services by Company on the Customer Premises.
- 3.7.4. Customer Premises.** The Customer shall ensure the physical security of all Company facilities located on Customer Premises. The Customer shall provide for power, power lines and power line conditioning; conduit; heating and cooling building space; internal and external building wiring; and entrance facilities on Customer Premises. Such Customer responsibilities shall be performed in accordance with procedures established by the Company in a timely manner for the installation and operation of Company facilities located on Customer Premises. The Customer shall maintain safe premises at which Company employees may install or maintain facilities of Company. Customer responsibility shall include compliance with all laws and regulations regarding the conditions at such premises, including, but not limited to the provision, installation and maintenance of sealed conduits with explosive-proof fittings between facilities furnished by the Company in explosive atmospheres and points outside the hazardous area where connection may be made with the facilities of the Company and installations and maintenance within the hazardous area if, in the opinion of the Company, injury or damage to the Company employees or property might result from installation or maintenance by the Company.

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