

AT&T Communications of New York, Inc.
P.S.C. No. 23 -- Telephone
Message Telecommunications Service
Effective Date: July 21, 2010

Section 2
Leaf No. 11
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SECTION 2-GENERAL REGULATIONS

2.6 LIABILITY OF COMPANY FOR SERVICE INTERRUPTIONS, ERRORS, ETC. (Cont'd)

2.6.2 "INTERRUPTION" DEFINED

For the purpose of applying this provision, the word "interruption" shall mean the inability to complete calls either incoming or outgoing or both due to facility malfunction or human errors. "Interruption" does not include and no allowance shall be given for service difficulties such as slow dial tone, circuits busy or other network and/or switching capacity shortages. Nor shall the interruption allowance apply where service is interrupted by the negligence or willful act of the Subscriber or where the Company, pursuant to the terms of the Tariff, terminates service because of nonpayment of bills due to the Company, unlawful or improper use of the facilities or service, or any other reason covered by the Tariff or where the LEC, pursuant to the terms of its Tariff, suspends or terminates service because of nonpayment of bills due to the LEC, unlawful or improper use of the facilities or service, or any other reason covered by its Tariff.

2.6.3 WIDE AREA TELEPHONE SERVICE

The interruption allowance for Wide Area Telephone Service shall be as set forth in Tariff P.S.C. No. 22--Telephone.

2.6.4 EXCLUSIVITY OF ALLOWANCE IN ABSENCE OF GROSS NEGLIGENCE OR WILLFUL MISCONDUCT

Apart from the interruption allowance stated above, no liability shall attach to the Company for damages arising from errors, mistakes, omissions, interruptions, or delays of the Company, its agents, servants or employees, in the course of establishing, furnishing, rearranging, moving, terminating, or changing the 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.

2.6.5 USE OF LINES OF OTHER COMPANIES

When the lines of other companies are used in establishing connection to points not reached by the Company's lines, the Company is not liable for any act or omission of the other company or companies and their agents, servants or employees.

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