

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. 9
Revision: 0
Superseding Revision:

SECTION 2-GENERAL REGULATIONS

2.5 OBLIGATION OF COMPANY

In furnishing facilities and service, the Company does not undertake to transmit messages, but furnishes the use of its facilities to its Subscribers for communications.

The Company's obligation to furnish facilities and service is dependent upon its ability (a) to secure and retain, without unreasonable expense, suitable facilities and rights for the construction and maintenance of the necessary circuits and equipment, (b) to secure and retain, without expense to it, suitable space for its plant and facilities in the building where service is or is to be provided, (c) to secure reimbursement of all costs where the owner or operator of a building demands relocations or rearrangement of plant and facilities used in providing service therein or (d) to secure compliance with the provisions of Section 2 of this Tariff as to underground construction by the Subscriber or any other party in interest, such as the applicant for service or the owner or operator of the premises where service is or is to be provided.

When the lines of other telephone companies are used in establishing connections 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.

The Company shall not be liable for errors in translating, transmitting, receiving or delivering messages by telephone, TDD or any other instrumentality over the facilities of the Company, connecting utilities or through the New York State Relay Center in the absence of gross negligence or willful misconduct.

The Company's failure to provide or maintain service under this tariff shall be excused for causes beyond the Company's reasonable control including but not limited to Labor difficulties, governmental orders, civil commotions and natural catastrophe.

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