

AT&T Communications of New York, Inc.
P.S.C. No. 26 -- Telephone
Private Line Local Channel Services
Effective Date: July 21, 2010

Section 2
Leaf No. 6
Revision: 0
Superseding Revision:

SECTION 1 - GENERAL REGULATIONS

2.3 RESPONSIBILITIES OF AT&T

2.3.1 Liability

- A. AT&T's liability, if any, for its willful misconduct is not limited by this tariff. With respect to any other claim or suit, by a Customer or by any others, for damages associated with the installation, provision, termination, maintenance, repair or restoration of a local channel service, and subject to the provisions of B. through F. following, AT&T's liability, if any, shall not exceed an amount equal to the proportionate charge provided for under this tariff for the local channel service for the period during which the condition(s) giving rise to the claim or suit arose. This liability for damages shall be in addition to any amounts that may otherwise be due the Customer under this tariff as a Credit Allowance for Interruptions (see Credit Allowances for Interruptions, Section 2.6).
- B. AT&T is not liable for damages associated with service, channels or equipment which it does not furnish.
- C. AT&T is not liable for damages to a premises resulting from the furnishing of a local channel service, including the installation and removal of equipment and associated wiring, unless the damage is caused by AT&T's negligence.
- D. AT&T shall be indemnified, defended and held harmless by the Customer and User against all claims, losses or damages arising from the use of local channel services furnished pursuant to this tariff, involving:
 - 1. Claims for libel, slander, invasion of privacy, or infringement of copyright arising from any communication;
 - 2. Claims for patent infringement arising from combining or using the local channel service furnished by AT&T in connection with services or equipment furnished by others; or
 - 3. All other claims arising out of any act or omission of others relating to local channel services provided pursuant to this tariff.

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