

**BELLSOUTH LONG DISTANCE, INC.**

d/b/a AT&amp;T Long Distance Service

New York Tariff No. 3 - Telephone

Effective Date: April 3, 2011

Section 2

Leaf No. 4

Revision: 0

Superseding Revision:

## SECTION 2 – RULES AND REGULATIONS

## 2.3 Limitations on Liabilities, (Cont'd.)

## 2.3.4 The Company shall not be liable for any claims for loss or damages involving:

- (A) Any act or omission of: (a) the Customer, (b) any other entity furnishing service, equipment or facilities for use in conjunction with Services provided by the Company; or (c) common carriers or warehousemen;
- (B) Any delay or failure of performance or equipment due to causes beyond the Company's control, including but not limited to, acts of God, fires, floods, earthquakes, hurricanes, or other catastrophes; national emergencies, insurrections, acts of terrorism, riots, wars (declared or undeclared), acts of government authority, or other civil commotions; strikes, lockouts, work stoppages or other labor difficulties; criminal actions taken against the Company; unavailability, failure or malfunction of equipment or facilities provided by the Customer or third parties; and any law, order, regulation or other action of any governing authority or agency thereof;
- (C) Any unlawful or unauthorized use of the Company's Services;
- (D) Libel, slander, invasion of privacy or infringement of trademarks, patents, trade secrets, or copyrights arising from or in connection with the transmission of communications by means of Company provided facilities or Services; or by means of the combination of Company provided facilities or Services with Customer provided services;
- (E) Breach in the privacy or security of communications transmitted over the Company's Service;

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Carol Paulsen, Director Regulatory  
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