

APPLICATION OF THE TARIFF

- A. This Tariff sets forth the Service offerings, rates, terms and conditions applicable to the furnishing of Access Services within the State of New York as set forth in this Tariff.
- B. The rates and regulations contained in this Tariff apply only to the Services furnished by the Company and do not apply, unless otherwise specified, to the lines, facilities, or Services provided by any other Local Exchange Carrier or other Carrier for use in accessing the Services of the Company.
- C. The Company shall not be deemed to have waived or impaired any right, power, requirement or option reserved by this Tariff (including, but not limited to, the right to demand exact compliance with every term and condition herein), by virtue of any custom or practice of the Company at variance with the terms hereof, or any failure, refusal or neglect of Company to exercise any right under this Tariff, or any waiver, forbearance, delay, failure or omission by the Company to exercise any right, power or option hereunder.
- D. The provision of Services is subject to existing regulations and terms and conditions specified in this Tariff and may be revised, added to or supplemented by superseding Tariffs.
- E. The Company reserves the right to offer its Customers a variety of Services as deemed appropriate by the Company.
- F. The Company will provide Services requested by Customers which are not included in this Tariff, depending on equipment and facility availability and economic considerations. Pricing for these Services will be accomplished on an Individual Case Basis or a Customer specific contract.