

NY PSC Tariff No. 6 - TELEPHONE
PAETEC Communications, Inc.
Initial Effective Date: 10/9/2003

Section: 2 Leaf: 8
Revision: 0

Section 2 - GENERAL RULES AND REGULATIONS (Cont'd)

2.1 USE OF FACILITIES AND SERVICE (Cont'd)

2.1.2 Limitations on Liability (Cont'd)

- 2.1.2.9 The liability of the Company for errors in billing that result in overpayment by the Customer shall be limited to credit equal to the dollar amount erroneously billed or, in the event that payment has been made and service has been discontinued, to a refund of the amount erroneously billed.
- 2.1.2.10 Company's entire liability with respect to any service provided to customer (including without limitation with respect to the installation, delay, provisions, termination, maintenance, repair, interruption, or restoration of any such service) shall not exceed an amount equal to the charge applicable for the period during which services were affected. No action or proceeding against the Company shall be commenced more than one year after the service is rendered.
- 2.1.2.11 THE COMPANY MAKES NO WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED EITHER IN FACT OR BY OPERATION OF LAW, STATUTORY OR OTHERWISE, INCLUDING WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE, EXCEPT THOSE EXPRESSLY SET FORTH HEREIN.

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