

PSC NO: 3 TELEPHONE  
ALLTEL New York, Inc.  
Initial Effective Date: 5/30/03

Section: 2 Leaf: 12  
Revision: 0  
Superseding Revision:

## SECTION 2 - GENERAL RULES AND REGULATIONS

### C. OBLIGATION OF TELEPHONE COMPANY

In furnishing facilities and service, the Telephone Company does not undertake to transmit messages.

The Telephone Company's obligation to furnish facilities and service is dependent upon its ability to secure and retain, without unreasonable expense, suitable facilities and rights for the construction and maintenance of the necessary circuits and equipment.

### D. LIABILITY

#### 1. Liability of Subscriber for Loss of or Damage to Equipment

The subscriber is required to reimburse the Telephone Company for any loss of or damage to the telephone instrument, facilities or equipment on the subscriber's premises, through theft, willful injury or any other cause whatsoever, other than by fire or unavoidable accidents. (The Term "unavoidable accidents" does not include thefts.)

#### 2. Liability of Telephone Company for Errors, etc.

No liability shall attach to the Telephone Company for damages arising from errors omissions or mistakes of the Telephone Company, its agents, servants or employees, in the furnishing of telephone service occurring unavoidably or in spite of the most stringent regulations or the most vigilant general oversight.

#### 3. Liability of Telephone Company for Directory Errors

In the absence of gross negligence or willful misconduct and except for the allowances stated hereinafter in Sections (1), (2) and (3) of subpart (b), no liability for damages arising from errors or mistakes in or omissions of listings obtainable from the directory assistance operator, including errors in the reporting thereof, shall attach to the company.

Issued by: Vice President, State Government Affairs, Little Rock, Arkansas