

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

Section: 2 Leaf: 15
Revision: 0
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SECTION 2 - GENERAL RULES AND REGULATIONS

D. LIABILITY (Cont'd.)

4. Liability of Telephone Company for Service Interruptions (Cont'd.)

- c. For the purpose of applying this provision, the word "interruption" shall mean the inability to complete calls either incoming or outgoing or both due to equipment malfunctions or human errors. "Interruption" does not include and no allowance shall be given for service difficulties such as slow dial tone, circuits busy or other network and/or switching capacity shortages. Nor shall the interruption allowance apply where service is interrupted by the negligence or willful act of the subscriber or where the company, pursuant to the terms of the tariff, suspends or terminates service because of nonpayment of bills due to the company, unlawful or improper use of the facilities or service, or any other reason covered by the tariff. No allowance shall be made for interruptions due to electric power failure where, by the provisions of this tariff, the subscriber is responsible for providing electric power. Allowance for interruptions of message rate service will not affect the number of local messages or message units to which the subscriber is entitled during a given billing period.

5. Liability of Subscriber Utilizing Customer Provided Equipment

- a. The subscriber is liable and is required to reimburse the Telephone Company for any loss of, harm to, or damage to the telephone network resulting from malfunction of customer provided equipment.
- b. The subscriber is liable and is required to reimburse the Telephone Company for any loss of, harm to, or damage to telephone service of other subscribers resulting from malfunction of customer provided equipment.
- c. The subscriber is liable and is responsible in holding the Telephone Company harmless for any harm to, or damage to, other subscribers resulting from malfunction of customer provided equipment.

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