

GetGo Communications LLC
New York P.S.C. No. 1 – Communications
Effective: August 18, 2017

Leaf 20
Revision: 0
Superseding Revision:

SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.3 LIABILITY OF THE COMPANY

2.3.1 General

A. Except as otherwise stated in this Tariff, the Company's liability for damages arising from any cause including, but not limited to, any mistakes, omissions, interruptions, delays, errors, defects, misrepresentations, or misuse relating to the Company's furnishing of Services or its failure to furnish Services, shall be limited to the corresponding amount of the credit to the Customer for an Interruption of Service, as set forth in Section 2.7 hereunder.

B. Except for the credit to the Customer for an Interruptions of Service, set forth in Section 2.7 hereunder, the Company is not liable to Customers, End Users or any third party for any direct, indirect, special, incidental, reliance, consequential, exemplary or punitive damages, including, but not limited to, loss of revenue or profits, for any reason whatsoever, including, but not limited to, any act or omission, failure to perform, delay, interruption, failure to provide any Service, including the inability to access emergency 911 services during any such failure, or any failure in or breakdown of Facilities associated with the Service.

C. The liability of the Company for errors in billing that result in overpayment by the Customer shall be limited to a 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.

2.4 SERVICE AVAILABILITY

2.4.1 Notification of Service-Affecting Activities

The Company will provide to the Customer reasonable notification of scheduled Service- affecting activities that may occur in normal operation of its business. Such activities may include, but are not limited to, testing, modification, replacement, removal or rearrangement of equipment or Facilities and routine preventative maintenance. Generally, such activities do not specifically affect an individual Customer but affect many Customers' Service. No specific advance notification period is applicable to all Service activities. The Company will work cooperatively with the Customer to determine the reasonable notification requirements. With some emergency or unplanned Service- affecting conditions, such as an outage resulting from a loss of power or damage to Facilities or equipment, notification to the Customer may not be possible.

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Cancelled by supplement No. 1 effective 08/30/2023