

GetGo Communications LLC
New York P.S.C. No. 1 – Communications
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SECTION 1 – DEFINITIONS AND ABBREVIATIONS (Cont'd)

1.2 DEFINITIONS OF TERMS (Cont'd)

flood or fire that prevents the Local Exchange Carrier from restoring service due to impassable roads, downed power lines, or the closing off of affected areas by public safety officials.

The term Emergency Situation shall not include:

a single event caused by high temperature conditions alone; or

a single event caused, or exacerbated in scope and duration, by acts or omissions of the Local Exchange Carrier, its agents, employees or contractors or by the condition of Facilities, equipment or premises owned or operated by the Local Exchange Carrier; or

any service interruption that occurs during a single event listed in this definition, but are not caused by those single events; or

a single event that the Local Exchange Carrier could have reasonably foreseen and taken precaution to prevent; provided, however, that in no event shall a Local Exchange Carrier be required to undertake precautions that are technically infeasible or economically prohibitive.

This Part shall be construed as being content neutral as to whether a strike or other work stoppage is an Emergency Situation. In the event of a strike or other work stoppage, the Local Exchange Carrier's obligations to provide remedies for failure to comply with this Part shall, in the absence of a decision by a court of competent jurisdiction, be determined by the Commission on a case-by-case basis based upon the individual factual circumstances of each strike or other work stoppage. In making such a determination, and notwithstanding the definition of Emergency Situation above, the Commission shall not presume that a strike or other work stoppage is an act of an employee or of the Local Exchange Carrier.

End User - Any Customer or other person or entity who is not a carrier, except that a carrier shall be deemed to be an "End User" when such carrier uses the Company's Service for administrative purposes.

Exchange Area - A unit established by a Local Exchange Carrier and approved by the Commission for the administration of Telecommunications Service in a specified geographical area. It may consist of one or more Central Offices together with associated plant used in furnishing Telecommunications Services in that area. Exchange Areas are identified on exchange boundary Maps on file with the Commission.

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