

Talkie Communications, Inc.
NY PSC Tariff No. 1
Effective: 07/02/18

Leaf No.13
Revision. 0
Superseding Revision

END-USER TELECOMMUNICATIONS SERVICES TARIFF

SECTION 2- RULES AND REGULATIONS, (Cont'd.)

2.4 Liability of the Company (Cont'd.)

- A. The Company shall not be liable for (a) any act or omission of any entity furnishing the Company or the Company's Customers facilities or equipment used for the interconnection with Access Services; or (b) for the acts or omissions of other Common Carriers.
- B. The Company shall not be liable for any damages or losses due to the fault or negligence of the Customer or due to the failure or malfunction of Customer provided equipment or facilities.
- C. The Customer shall indemnify and hold the Company harmless from any and all loss, claims, demands, suits, or other actions, or any liability whatsoever, whether suffered, made, instituted, or asserted by any other party or person(s), and for any loss, damage, or destruction of any property, whether owned by the Customer or others, caused or claimed to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, removal, condition, location, or use of any installation or equipment provided by the Company. The Company reserves the right to require each Customer to sign an agreement acknowledging acceptance of the provisions of this Section 2.1.4.F as a condition precedent to such installations.
- D. The Company shall not be liable for any defacement of or damage to Customers Premises resulting from the furnishing of services or equipment on such Premises or the installation or removal thereof, unless such defacement or damage is caused by the gross negligence or willful misconduct of the Company's agents or employees.
- E. No agents or employees of other participating Carriers shall be deemed to be agents or employees' of the Company.

By: Andrew DeMattia
Chief Operating Officer
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