

Atlantic Metro Communications II, Inc.
Tariff NY PSC No. 1
Effective Date: Feb. 14, 2016

Leaf No. 66
Revision: 0
Superseding Revision:

D. In the event of a bankruptcy, liquidation, reorganization, receivership or any other relief being sought under any bankruptcy, insolvency or other similar law or similar type of proceeding, the terms of this Tariff hereto shall remain in full force and effect between the parties and shall survive such proceeding, as all parties recognize the impact of such proceeding upon the Customer's business operations and practices. Thus, in the event of such proceeding, the Customer shall be entitled to obtain an Order For Specific Performance of the Tariff and it shall be accepted as an executory Contract by any Trustee in any such proceeding, including bankruptcy, receivership, reorganization or liquidation proceedings.

23.6 A waiver by a Non-Defaulting Party with respect to any particular Event of Default shall not be deemed a waiver of any other or subsequent Event of Default.

23.7 Notwithstanding the foregoing, delays caused by Force Majeure events pursuant to Section 27 (other than delays in connection with the payment of monies due) shall not constitute an Event of Default or provide a basis for termination under this Section 23.

Issued by:

Matthew Lombardi, CEO

Effective 01/21/2016 under authority of PSC by Order made 01/21/2016 in Order Number 15-02135
Cancelled effective 02/15/2021. Atlantic Metro Communications II, Inc.
4 Century Drive, Parsippany, New Jersey 07054