

**Birch Communications of the Northeast, Inc.**  
**d/b/a Birch**  
PSC No: 2 - Telephone  
Effective Date: March 3, 2017

Leaf 18  
Revision: 0  
Superseding Revision:

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ACCESS SERVICES

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SECTION 2 - RULES AND REGULATIONS (CONT'D)

2.7 Liability of the Company (Continued)

- 2.7.6 No liability shall attach to the Company by reason of any defacement or damage to the Customer=s premise resulting from the existence of the Company=s equipment or facilities on such premise, or by the installation or removal thereof, when such defacement or damage is not the result of the gross negligence or intentional misconduct of the Company or its employees.
- 2.7.7 The Company does not guarantee nor make any warranty with respect to installations provided by it for use in an explosive atmosphere.
- 2.7.8 The Company makes no warranties or representations, express or implied, either in fact or by operation of law, statutory or otherwise, including warranties of merchantability or fitness for a particular use, except those expressly set forth herein.
- 2.7.9 Failure by the Company to assert its rights under a provision of this tariff does not preclude the Company from asserting its rights under other provisions.

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Issued By: Gordon P. Williams, Jr., Senior Vice President & General Counsel