

## DIGITAL DATA TRANSMISSION SERVICE

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## B. GENERAL REGULATIONS (Cont'd)

FEB 7 1996

## 1. Undertaking of the Company (Cont'd)

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## c. Liability (Cont'd)

- 3) The Company does not guarantee nor make any warranty with respect to service components provided by it for use in an explosive atmosphere. The customer or user indemnifies and holds the Company harmless from any and all loss, claims, demands, suits or other action or any liability whatsoever, whether suffered, made, instituted or asserted by the customer or user or by any other party or persons for any personal injury to or death of any person or persons 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, presence, condition, location or use of said service components so provided.

The Company will require each customer to sign an agreement for the furnishing of such service components as a condition precedent to the furnishing of such service components.

- 4) The Company is not liable for any defacement of or damage to the premises of a customer (or user) resulting from the furnishing of channel service components or the attachment of the associated wiring furnished by the Company on such premises or by the installation or removal thereof, when such defacement or damage is not the result of negligence of the agents or employees of the Company.

## d. Provision of Service Components

- 1) The Company will provide all service components necessary for Digital Data Transmission Service up to the demarcation point (interface) of the channel. The customer will be responsible for providing his own terminal equipment, customer-provided derivation equipment or communications system for use with such service as specified in this Tariff.

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President  
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## 1. Undertaking of the Company (Cont'd)

## d. Provision of Service Components (Cont'd)

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- 2) Digital Data Transmission Service furnished by the Company will be provided at the rates contained in this Tariff where service components and operating conditions permit. Where service components are not available and unusual expenditures are involved in making them available, the customer may be required to pay additional charges to cover the unusual expenditure in accordance with Section B.4.d of this Tariff, or contract beyond the initial period, or both.
- 3) The charges specified in this Tariff do not contemplate installation, maintenance or repair work being performed by the Company employees involved at a time when overtime wages apply as a result of customer requests, nor do they contemplate work once begun being interrupted by the customer.

If the customer requests that labor be performed at hours of the day or days of the week other than normal work hours or days, or on holidays, or interrupts work once begun, an additional charge based on the additional costs involved applies. Such charges do not apply if sufficient advance notice is given so that employees' work schedules can be changed. The additional charge does not apply to overtime or premium time worked at the Company's convenience.

In situations where the customer requests that "standby" Company personnel be provided for installation or maintenance irrespective of when such "standby" workmen are provided, the additional estimated cost of providing such "standby" personnel will be billed to the customer.

- 4) When the customer requires the modification of standard service components not otherwise provided in this Tariff, the modification can be furnished by the Company at additional rates and charges, provided the modification is in connection with and not detrimental to any of the services furnished in this Tariff.

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MISSOURI PUBLIC SERVICE COMMISSION

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## B. GENERAL REGULATIONS (Cont'd)

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## 1. Undertaking of the Company (Cont'd)

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Public Service Commission

## e. Service Guarantee

This service is guaranteed to provide an average performance of at least 99.5 percent error-free seconds up to the demarcation point (interface) of the channel for operation at all transmission speeds offered in this Tariff. When Digital Data Transmission Service is operating at an error performance level that is unsatisfactory to the customer, and the Company determines that the error performance level is below that specified above, the period of substandard performance will be considered as an interruption, and a credit allowance will be made in accordance with provisions in Section B.4.h.3) of this Tariff. All such credit allowances shall begin from the time of notice by the customer or user to the Company that an unsatisfactory performance level has occurred, provided that the customer promptly releases the service as requested by the Company to perform testing and maintenance.

## 2. Use

Digital Data Transmission Service may be used for the purposes specified in Section B.2.a., following.

## a. Authorized Use

- 1) Digital Data Transmission Service may be used for transmission of communications relating directly to the business of the subsidiary corporations over which the customer exercises control through the ownership of more than 50 percent of the voting stock.

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