

P.S.C. No. 2 - Telephone

New York State Telecommunications Association, Inc.

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## RESELLERS/DIRECTORY SUBSCRIBER LISTING INFORMATION

## A. RESALE OF SERVICE

## 1. General

Pursuant to the Telecommunications Act of 1996 and Orders of the New York State Public Service Commission in Cases 95-C-0657, 94-C-0095 and 91-C-1174, issued and effective June 25, 1996 and November 18, 1996, the Company hereby voids all prohibitions for the purchase by Local Exchange Carriers of services contained in this tariff for the purpose of reselling such services to End Users. Reselling of services is subject to Class of Service restrictions and other rules and regulations contained in this tariff and in accordance with orders in the above referenced proceedings.

## B. DIRECTORY SUBSCRIBER LISTING INFORMATION

## 1. Definition

- a. Directory Subscriber Listing Information, referred to as Directory Database, is defined as a white page listing that identifies the subscribers of a telephone Company which may include the subscriber's name, telephone number, address or primary advertising classification (or in the form the Company provides itself) used for publication or used in any directory or directory assistance format.

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## B. DIRECTORY SUBSCRIBER LISTING INFORMATION (cont'd)

## 2. General

- a. Directory Database information will be made available by the Company on a non-discriminatory basis. Directory Database information cannot be resold, transferred, or reproduced by any entity without the expressed written prior consent of the Company.
- b. Directory Database updates will be provided by the Company in a timely manner as agreed to, but no more often than, the Company updates its own Directory Database.
- c. Directory Database information as it appears in the Company's directory is available in either paper or electronic format. A provider may request the data in either or both formats and additional charges may apply accordingly. If the concurring Company does not have electronic technology, it may request a waiver of this requirement from the Commission.

## 3. Unlisted or Non-Published Listings

- a. Pursuant to Public Service Law, unlisted or non-published listings of subscribers will not be provided with the Directory Database for purposes of publishing a directory. Any listing which the Company has been advised or has reason to know is or has become unlisted or non-published will be removed from the Company's compilation and not published in any future directories.

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## B. DIRECTORY SUBSCRIBER LISTING INFORMATION (cont'd)

3. Unlisted or Non-Published Listings (cont'd)
  - b. For any entity not providing Directory Assistance service under contract to the Company, names or addresses of unlisted or non-published subscribers, without telephone numbers and with a designation that the subscriber's number is unlisted or non-published, shall be provided with the Directory Database for the purpose of providing Directory Assistance service only.
  - c. A non-local exchange carrier can receive the unlisted or non-published information for Directory Assistance purposes listed in (b) above, if it has agreed to adhere to the Commission's Privacy Principles, as outlined in Case 90-C-0075, prior to receiving the information.
  - d. Any address information can only be used for identification purposes only and must not be given out to Directory Assistance callers. This information may be used only to inform callers that a customer's telephone number is unlisted or non-published.
4. Liability of the Company
  - a. The Company will make every effort to ensure accuracy of the Directory Database. The Company makes no express or implied warranties with respect to the accuracy and completeness of the Directory Database.

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## B. DIRECTORY SUBSCRIBER LISTING INFORMATION (cont'd)

## 4. Liability of the Company (cont'd)

- b. In the absence of gross negligence or willful misconduct, no liability for damages arising from errors in the Directory Database, including errors in the reporting thereof, shall attach to the Company. The purchaser of the Directory Database releases the Company from any liability for damages due to errors or omissions in the Directory Database provided under this tariff or by reason of delay in providing the Directory Database. A listing is considered in error only when it makes it difficult to locate a customer's telephone number. An address is considered in error only when it shows the customer on the wrong street or wrong community. The customer must notify the Company of an error.

## 5. Rates and Charges

Rates and charges for Directory Database Information used for the purpose of Directory Publishing and Directory Assistance service are contained in the concurring Company's tariff, if no rate has been established by the Company, the applicable rates are those contained in the Verizon New York, Inc. P.S.C. No. 1 - Telephone tariff, Section 9.

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