

GENERAL INFORMATION

6. LIABILITY

6.1 CONTINUITY OF SUPPLY

- 6.11 The Company will endeavor at all times to provide a regular and uninterrupted supply of service but in case the supply of service shall be interrupted or irregular or defective or shall fail from causes beyond the Company's control (including without limiting the generality of the foregoing, executive or administrative rules or orders issued from time to time by State or Federal officers, commissions, boards or bodies having jurisdiction) or because of the ordinary negligence of the Company, its employees, servants or agents, the Company will not be liable therefor.
- 6.12 Compliance with directives of the New York Independent System Operator ("NYISO") shall, without limitation by reason of specification, constitute a circumstance beyond the control of the Company for which the Company shall not be liable; provided, however, that the Company shall not be absolved from any liability to which it may otherwise be subject for negligence in the manner in which it carries out the NYISO's instructions. (See Rule 6.11)
- 6.13 Without limiting the generality of the foregoing, the Company may, without liability therefor, interrupt, reduce or impair service to any customer or customers in the event of an emergency threatening the integrity of its system, or any other systems with which it is directly or indirectly interconnected, if in its sole judgment or that of the NYISO (Rule 6.12), such action will prevent, alleviate, or reduce the emergency condition, for such period of time as the Company, or said NYISO, deems necessary.

GENERAL INFORMATION

6. LIABILITY (Cont'd)

6.1 CONTINUITY OF SUPPLY (Cont'd)

6.14 Customers requiring service which is uninterrupted, unreduced, or unimpaired on a continuous basis should provide their own emergency or backup capability.

6.2 CUSTOMER'S EQUIPMENT

Neither by inspection nor nonrejection, nor in any other way, does the Company give any warranty, expressed or implied, as to the adequacy, safety or other characteristics of any facilities owned, installed or maintained by the customer or leased by the customer from third parties.

6.3 COMPANY EQUIPMENT AND USE OF SERVICE The Company will not be liable for any injury, casualty or damage resulting in any way from the supply or use of electricity or from the presence or operation of the Company's facilities, except injuries or damages resulting from the negligence of the Company (subject to Rule 6.11).