

ORIGINAL

BELLSOUTH

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October 14, 2005

Ms. Blanca S. Bayo
Director, Division of the Commission Clerk
And Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

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RE: Hurricane Katrina

Dear Ms. Bayo:

Pursuant to Section 4.5.4 of BellSouth's Self Effectuating Enforcement Mechanism Administration Plan ("Plan"), approved by the Florida Public Service Commission on February 12, 2002, by Order No. PSC-02-0187-FOF-TP, BellSouth is not obligated for penalties under Tier 1 or Tier 2 Enforcement Mechanism for non-compliance with a performance measure if such non-compliance is the result of a force majeure event. BellSouth declared a Force Majeure as of August 26, 2005 due to Hurricane Katrina in South Florida (Dade, Broward, and Monroe Counties).

Effective Saturday, October 15, 2005, the SEEMS/SQM Force Majeure that was placed into effect in South Florida (Dade, Broward, and Monroe Counties) due to Hurricane Katrina **will be eliminated.**

If you have any questions concerning this matter, please call me.

Sincerely,

Jerry D. Hendrix

Cc: Braulio L Baez, Chairman
Lisa Harvey
Scott Mulcahy
Rudolph Bradley

Beth Salak
Rhonda Hicks
J. Terry Deason
Lisa Edgar

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