

ORIGINAL

BELLSOUTH

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Vice President
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COMMISSION
CLERK

SEP 28 PM 4: 27

RECEIVED PSC

September 28, 2004

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

RE: Hurricane Jeanne

000121A

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.

CMP _____
COM _____
CTR _____ Hurricane Jeanne made landfall on Florida Saturday, September 25, 2004. Due to the severity of
ECR _____ Hurricane Jeanne, and continuing efforts to restore service due to Hurricane Ivan and Hurricane
GCL _____ Frances, BellSouth continues to declare its entire service area in the State of Florida as the
OPC _____ service emergency area effective September 25, 2004 (the date that Hurricane Jeanne made
landfall).

MM _____ BellSouth will provide updates to our recovery efforts and advise the Commission when the
RCA _____ service emergency period is concluded. BellSouth views Hurricane Jeanne, as it did with
SCR _____ Hurricane Ivan, Hurricane Frances and Hurricane Charley as a force majeure event relieving
BellSouth of penalty obligations under this plan.

SEC 1

OTH _____ RECEIVED & FILED

FPSC-BUREAU OF RECORDS

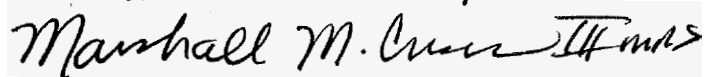
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FPSC-COMMISSION CLERK

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

Sincerely,

A handwritten signature in black ink that reads "Marshall M. Criser III". The signature is written in a cursive style and is positioned above a light gray rectangular background.

Marshall M. Criser III

Cc: Braulio L Baez, Chairman
J. Terry Deason
Lila A. Jaber
Rudolph Bradley
Charles M. Davidson
Beth Salak
Lisa Harvey
Rhonda Hicks
Harold McLean
Charles Beck
Scott Mulcahy
Nancy White