

**REQUEST FOR CHANGE TO AGENDA CONFERENCE
HAND DELIVER**

Date of Request: 4/14/2009 Date of Agenda Conference: 4/21/2009 Item No. 10

Docket No.: 00121A-TP Brief Title: Objection to AT&T'S Declaration of Force Majeure

Requested by: Staff Other _____ (Name)

Please attach a copy of the written documentation filed (IF OTHER)

STAFF's Recommendation to Executive Suite (IF OTHER) Approve Request Deny Request

RECEIVED--FPSC
09 APR 17 AM 10:51
COMMISSION
CLERK

ACTION REQUESTED [see APM 2.11]

- Defer Item to Agenda Scheduled Date: _____
- Change Order of Item or Take Up at Time Certain
- Withdraw Item (not expected to return to Agenda)
- Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing) **A copy of the front page of the recommendation must be provided to the Commission Clerk by 12 noon on the regular filing date for use as a place-holder during agenda preparation.**
- Add Item to Published Agenda [see Section 120.525(2), F.S.] – Issue an ADDENDUM and give Legal NOTICE
- Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] – Issue an ADDENDUM and Give Fair NOTICE

Concise explanation, justification or comments (attach additional sheet if necessary):

The Competitive Carriers of the South, Inc. (Compsouth) pursuant to Rule 1.420(a), Federal Rules of Civil Procedure have voluntarily withdrawn, without prejudice, its Objection to BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast's (AT&T) declaration of a Force Majeure Event related to an incident in its St. Louis data center occurring on December 6, 2008.

COM _____
ECR _____
GCL _____
OPC _____
RCP _____
SSC _____
SGA _____
ADM _____
CLK _____
CBE _____
Ward _____
MacCleb _____
Pena _____
Purvis _____

Signature (Technical Staff): [Signature]

Initials (Division Director or Designee): [Signature]

Signature (Legal Staff): [Signature]

Initials (General Counsel or Designee): BH

EXECUTIVE DIRECTOR:

Recommendation to the Chairman's Office

Initials: MAB

Comments:

Approve Request Deny Request
Date: 4/15/09

CHAIRMAN'S OFFICE:

Initials: WCO

Approve Request Deny Request
Date: 4/17/09

Executive Suite will send the original to the Office of Commission Clerk and return copy to the requesting staff after the Chairman's Office takes action on this request. Requesting staff should distribute copies to the Division Directors (OPR & OCR) and Attorney assigned to the docket.

DOCUMENT NUMBER-DATE

03578 APR 17 8

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the
establishment of operations
support systems permanent
Performance measures for
incumbent local exchange
telecommunications companies.
(BellSouth Track)

Docket No. 000121A-TP

Filed: April 14, 2009

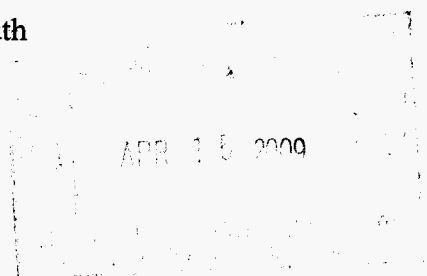
NOTICE OF VOLUNTARY WITHDRAWAL WITHOUT PREJUDICE

The Competitive Carriers of the South, Inc. (CompSouth), pursuant to Rule 1.420(a), Florida Rules of Civil Procedure, hereby voluntarily withdraws, without prejudice, its Objection to BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast's (AT&T) declaration of a Force Majeure Event related to an incident in its St. Louis data center occurring on December 6, 2008. CompSouth anticipates that AT&T will file more information regarding future force majeure events so that CompSouth (and others) may evaluate early in the process whether a force majeure event has occurred and avoid the need for an objection and consideration of such objection.

s/ Vicki Gordon Kaufman

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Attorneys for CompSouth



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

Electronic Mail and U.S. Mail this 14th day of April 2009 to the following:

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