



BellSouth Telecommunications, Inc.
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October 15, 2004

RECEIVED

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PUBLIC SERVICE
COMMISSION

James Vanover, Esq.
Gregory L. Hall, Esq.
Vanover, Hall & Bartley, P.S.C.
152 Third Street
Pikeville, KY 41501

Re: Vanover, Hall & Bartley, P.S.C., Complainant, v. BellSouth
Telecommunications, Inc., Defendant
KPSC 2004-00410

Dear Messrs. Vanover and Hall:

This relates to the Complaint you filed with the PSC on October 8, 2004, which BellSouth received on October 14, 2004.

BellSouth is and always has been willing to provide its unregulated retail high-speed Internet access service, known as BellSouth FastAccess® DSL, to a customer, such as your firm, that is obtaining voice telephone service from a competitive local exchange company over a resale line. Our investigation has revealed that your firm's local voice service is being provided via a resale line, so your firm is eligible to continue to receive FastAccess. The issue is that you must make an alternate billing arrangement. Your firm was initially billed for FastAccess via your BellSouth phone bill. Once your firm changed voice providers, BellSouth should have offered your firm the opportunity to continue your FastAccess service by making arrangements to bill via credit card. The alternative billing arrangement, of course, is necessary because your voice telephone service no longer is billed to your firm by BellSouth. If BellSouth did not contact your firm to make alternate billing arrangements, we apologize for any inconvenience that was caused.

If you would like to continue with FastAccess service, please let me know and I will be happy to put you in touch with a BellSouth representative so you can make billing arrangements.

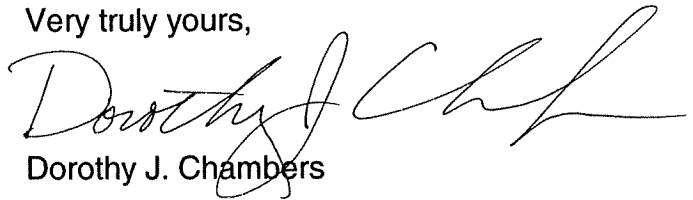
FastAccess service is unregulated and the Kentucky Public Service Commission has recognized in previous cases that it does not have jurisdiction regarding that unregulated service. BellSouth reserves its right to assert this and all other defenses it

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has to the complaint you have filed with the Public Service Commission in the event that you pursue the Complaint.

I apologize for what appears to have been a misunderstanding, and the inconvenience to you and the members of your firm. If you should wish to discuss this letter or your complaint, please do not hesitate to contact me.

Very truly yours,



Dorothy J. Chambers

cc. →

Ms. Beth O'Donnell, Executive Director
Kentucky Public Service Commission

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