

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION CONCERNING THE)	
PROPRIETY OF PROVISION OF INTERLATA)	
SERVICES BY BELLSOUTH)	CASE NO.
TELECOMMUNICATIONS, INC., PURSUANT)	2001-00105
TO THE TELECOMMUNICATIONS)	
ACT OF 1996)	
PETITION OF BELLSOUTH)	
TELECOMMUNICATIONS, INC. FOR THE)	CASE NO.
ESTABLISHMENT OF A NEW PERFORMANCE))	2004-00391
PLAN)	

AFFIDAVIT OF STEPHEN HUSTON

STEPHEN HUSTON, being first duly sworn, states the following:

1. I am the Director-Quality/M&P/Process at AT&T Services Inc. in San Ramon, California. I am a resident of Alameda County, California and am over the age of 18. I state the following on personal knowledge and on information I learned or events I observed in connection with my employment at AT&T Services Inc.

2. I am responsible for communications with the Competitive Local Exchange Carrier (CLEC) customers of AT&T in all 22 AT&T incumbent local exchange carrier states, including the nine Southeast region states. I oversaw and was responsible for communications with CLECs concerning the Operational Support System (OSS) outages caused by the December 6, 2008 flooding of the St. Louis data center.

3. On Sunday, December 7, 2008, AT&T sent an emergency email to CLECs by means of two established forums for wholesale operations issues—AT&T’s Change Management (“CMP”) Point of Contact List and CLEC User Forum Executive Steering

Committee List—alerting the CLECs to the flood and resulting power outage. A true and accurate copy of the e-mail is marked as **Exhibit C** to AT&T’s Response to CompSouth’s Objection to Declaration of Force Majeure Event.

4. On December 8, 2008, AT&T notified each of the CLECs in the nine-state Southeast Region (the “Southeast Region CLECs”) of the flood and outage by means of an “accessible letter” and follow-up conference call. A true and accurate copy of the December 8 letter is attached as **Exhibit D** to AT&T’s Response to CompSouth’s Objection to Declaration of Force Majeure Event. The letter also informed the CLECs that, because the system outage broadcast notification system had been affected, AT&T had already provided notice via the CMP Point of Contact List and CLEC User Forum Executive Steering Committee List “in order to notify CLECs as soon as possible.”

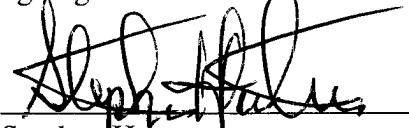
5. On December 10, 2008, AT&T issued a second accessible letter to each of the Southeast Region CLECs again notifying them that, as a result of “a water main break outside the St. Louis data center” on December 6, “water flooded the building switch gear forcing a shut down of commercial and generator power to the entire building.” A true and accurate copy of the December 10 letter is attached as **Exhibit F** to AT&T’s Response to CompSouth’s Objection to Declaration of Force Majeure Event. In addition, specifically invoking the “Performance Measures provisions of [each SEEM] agreement,” AT&T notified the Southeast Region CLECs that the event “has impacted AT&T’s ability to perform its contractual obligations[,]” and made clear that “AT&T is in the process of assessing the impact of the outage and may seek relief under applicable performance measurement and remedy plans at the appropriate time.” Thereafter, AT&T

timely responded to various inquiries from Southeast Region CLECs regarding the situation.

6. The December 8 and December 10 accessible letters were issued to CLECs in all 22 AT&T states, not just to the Southeast Region CLECs.

7. On February 10, 2009, shortly after AT&T had compiled performance measurement results for the month of December and computed the remedy impact of the water main break, AT&T issued a third "accessible letter" to each of the Southeast Region CLECs. AT&T advised the CLECs that "AT&T 9-state will be filing a letter notifying the state commissions that it is invoking the force majeure provisions of the SQM/SEEM Plan (Section 4.5.2) in connection with the St. Louis data center outage, which was addressed in the accessible letter issued on December 10, 2008." A true and accurate copy of the February 10 accessible letter is attached as **Exhibit H** to AT&T's Response to CompSouth's Objection to Declaration of Force Majeure Event.

I declare under penalty of perjury that the foregoing is true and correct.

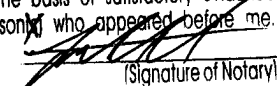

Stephen Huston

COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

Personally appeared before me, Steve Huston, who swears and/or affirms that the information provided in this attestation is true and correct.

Signed and sworn to before me
this 18th day of March, 2009


NOTARY PUBLIC

State of California, County of Contra Costa
Subscribed and sworn to (or affirmed) before me on this
18 day of March, 2009, by Stephen Huston
proved to me on the basis of satisfactory evidence
to be the person who appeared before me.

(Signature of Notary)

