

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Petition for rate increase by Florida
Power & Light Company** §
 §
 §
 § **Docket No.: 050045-EI**
 § **Filed: May 6, 2005**

**MOTION FOR ADMISSION *PRO HAC VICE*
OF
MARK F. SUNDBACK AND KENNETH L. WISEMAN**

George E. Humphrey, an attorney duly admitted and in good standing with the Bar in the State of Florida, hereby moves the admission of Mark F. Sundback, Esquire and Kenneth L. Wiseman, Esquire of the law firm of Andrews Kurth LLP *pro hac vice*, as counsel for the Hospitals, as that term is defined in the petition to intervene filed concurrently with this motion.

In accordance with Rule 2.061 of the Florida Rules of Judicial Administration, George E. Humphrey provides the following information with respect to Attorneys Sundback and Wiseman.

(1) Both Attorneys Sundback and Wiseman are members in good standing of the Bar of the District of Columbia and admitted to practice before the District of Columbia Court of Appeals, the highest court in the District’s judicial system. In addition, Attorney Sundback is admitted to practice before the U.S. Court of Appeals for the 5th, 10th and District of Columbia Circuits as well as the United States District Court for the District of Columbia. Attorney Wiseman is also admitted to practice before the U.S. Court of Appeals for the 1st, 5th, 9th, and District of Columbia Circuits as well as the United States District Court for the District of Columbia. Each is experienced in the matters involved in public utility regulation and has practiced extensively before agencies engaged in such regulation as reflected in the attached certifications.

(2) Both Attorneys Sundback and Wiseman sought and received *pro hac vice* admission to represent the Hospitals in the following matters in the State of Florida:

(a) Before the Florida Public Service Commission in Docket No. 001148-EI pursuant to motion *pro hac vice* filed on May 2, 2001;

(b) Before the Florida Supreme Court in *South Florida Hospital and Health Care Assoc. v. Jabar* (Docket No. SC02-1023) pursuant to motion *pro hac vice* filed on May 13, 2003.

(3) Neither Attorney Sundback nor Wiseman has been disciplined in any manner, and neither has any pending disciplinary proceeding.

(4) Attorneys Sundback and Wiseman's representation of Hospitals in the matter at issue here commenced on May 2, 2005.

(5) See attached statements by Attorneys Sundback and Wiseman that each has read the applicable provisions of the Florida Rules of Judicial Administration and the Rules Regulating The Florida Bar, and that this verified motion complies with those rules.

(6) George E. Humphrey of 600 Travis, Suite 4200, Houston, Texas 77002, an active member of the Florida Bar, is associated with Attorneys Sundback and Wiseman for purposes of the representation at issue.

(7) See attached Certificate of Service of this Motion upon all counsel of record in the matter at issue, Docket No.: 050045-EI, In re: Petition for rate increase by Florida Power & Light Company.

(8) See attached verifications by Attorneys Sundback and Wiseman seeking to appear pursuant to Rule 2.061 of the Florida Rules of Judicial Administration.

Respectfully submitted,

ANDREWS KURTH LLP

George E. Humphrey (gjh w/permission)

George E. Humphrey
Florida Reg. No. 0007943
600 Travis, Suite 4200
Houston, Texas 77002
Telephone: 713-220-4200
Facsimile: 713-220-4285

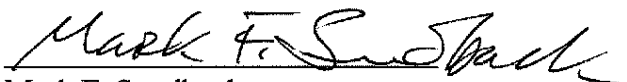
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida §
Power & Light Company §
§
§

Docket No.: 050045-EI

CERTIFICATION

I, Mark F. Sundback, hereby certify, pursuant to Rule 2.061 of the Florida Rules of Judicial Administration, that I am an attorney in good standing of the Bar of the District of Columbia, that I am experienced in the matters involved in public utility regulation, that I have practiced extensively before agencies engaged in such regulation, and that I have read the applicable provisions of the Florida Rules of Judicial Administration and the Rules Regulating The Florida Bar, and that this verified motion complies with those rules.



Mark F. Sundback
District of Columbia Bar No. 358922

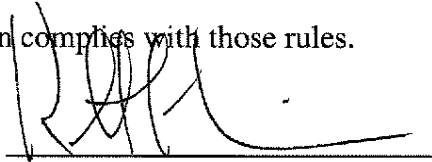
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Petition for rate increase by Florida §
Power & Light Company §
§
§**

Docket No.: 050045-EI

CERTIFICATION

I, Kenneth L. Wiseman, hereby certify, pursuant to Rule 2.061 of the Florida Rules of Judicial Administration, that I am an attorney in good standing of the Bar of the District of Columbia, that I am experienced in the matters involved in public utility regulation, that I have practiced extensively before agencies engaged in such regulation, and that I have read the applicable provisions of the Florida Rules of Judicial Administration and the Rules Regulating The Florida Bar, and that this verified motion complies with those rules.



Kenneth L. Wiseman
District of Columbia Bar No. 943092

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Federal Express to the following parties of record and interested parties, this 6th day of May, 2005.

Florida Industrial Power Users Group
John W. McWhirter, Jr.
c/o McWhirter Reeves
400 North Tampa Street, Suite 2450
Tampa, FL 33601-3350
Phone: 813-224-0866
FAX: 813-221-1854
Email: jmcwhirter@mac-law.com

AARP
c/o Mike B. Twomey
P. O. Box 5256
Tallahassee, FL 32314-5256
Phone: 850-421-9530
FAX: 421-8543
Email: miketwomey@talstar.com

Florida Power & Light Company
R. Wade Litchfield/Natalie F. Smith
700 Universe Blvd.
Juno Beach, FL 33408-0420
Phone: (561) 691-7100
FAX: (561) 691-7135
Email:
Wade_Litchfield@fpl.com/Natalie_Smith@fpl.com

McWhirter Law Firm
Timothy J. Perry
117 South Gadsden Street
Tallahassee, FL 32301
Phone: 850-222-2525
FAX: 222-5606
Email: tperry@mac-law.com

Florida Power & Light Company
Mr. Bill Walker
215 South Monroe Street, Suite 810
Tallahassee, FL 32301-1859
Phone: (850) 521-3900
FAX: 521-3939

Commercial Group
David Brown
c/o McKenna Law Firm
One Peachtree Center
303 Peachtree Street, N.E., Suite 5300
Atlanta, GA 30308
Phone: 404-527-8369
FAX: 404-537-4198
Email: dbrown@mckennalong.com

Federal Executive Agencies
Major Craig Paulson
c/o AFCESA/ULT
139 Barnes Drive
Tyndall Air Force Base, FL 32403
Phone: 850-283-6350
FAX: 850-283-6219
Email: craig.paulson@tyndall.af.mil

Holland & Knight Law Firm
Bruce May
Post Office Drawer 810
Tallahassee, FL 32302-0810
Phone: (850) 224-7000
FAX: 224-8832
Email: dbmay@hklaw.com

Office of Public Counsel
H.McLean/C.Beck/J.McGlothlin
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400
Phone: 850-488-9330

Miami-Dade County Public Schools
c/o Jaime Torrens
1450 N.E. 2nd Avenue
Miami, FL 33132
Thomas P. & Genevieve E. Twomey
3984 Grand Meadows Blvd.
Melbourne, FL 32934
Phone: (321) 242-3487

Landers Law Firm
Scheffel Wright/John LaVia
P.O. Box 271
Tallahassee, FL 32302
Phone: 850-681-0311
FAX: 224-5595

Florida Retail Association
100 E. Jefferson Street
Tallahassee, FL 32301
Phone: (850) 222-4082


George E. Humphrey