

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Applications for qualified representative status.

DOCKET NO. 040064-OT
ORDER NO. PSC-04-0362-FOF-OT
ISSUED: April 5, 2004

ORDER AUTHORIZING QUALIFIED REPRESENTATIVE STATUS

On March 10, 2004, Matthew J. Feil, General Counsel for Florida Digital Network, Inc. (FDN), filed a written request pursuant to Rule 28-106.106, Florida Administrative Code, for Michael C. Sloan, Esquire, to appear as Qualified Representative for FDN in all docketed and undocketed matters before this Commission opened during the next twelve months. Mr. Sloan has the following business address: Swidler Berlin Shereff Friedman, 3000 K Street, N.W., Suite 300, Washington, DC 20007. After reviewing the request, it appears that the identified individual has the necessary qualifications to responsibly represent FDN's interests in a manner which will not impair the fairness of any proceeding involving the company or the correctness of the action to be taken. Having met the requirements of Rule 28-106.106(4), Florida Administrative Code, Michael Sloan is authorized to appear as Qualified Representative on behalf of FDN in any undocketed or docketed matter opened during the period ending January 31, 2005.

Based on the foregoing, it is

ORDERED by Chairman Braulio Baez, as Presiding Officer, that Michael C. Sloan, Esquire, of the Swidler Berlin Shereff Friedman, LLP law firm, 3000 K Street, N.W., Suite 300, Washington, DC 20007, is hereby authorized to appear as Qualified Representative on behalf of Florida Digital Network, Inc., for any undocketed or docketed matter opened during the period ending January 31, 2005.

By ORDER of Chairman Braulio L. Baez, as Presiding Officer, this 5th day of April, 2004.



BRAULIO L. BAEZ
Chairman and Presiding Officer

(SEAL)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.