



**FPL  
FiberNet**

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REPORTING

May 2 , 2001

**Via Hand Delivery**

Ms. Blanca S. Bayo', Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**Re: Docket No. 010416-TA**

Dear Ms. Bayo:

This letter supplements FPL FiberNet, LLC's ("FPL FiberNet") settlement proposal submitted April 20, 2001 in connection with the above-referenced matter. Please be advised that FPL FiberNet agrees to waive objection to the administrative cancellation of its certificate in the event that its settlement proposal is accepted by the Florida Public Service Commission and FPL FiberNet fails to comply with the terms of said proposal.

Thank you for your attention to this matter.

Sincerely,

Sol Stamm

- AMP \_\_\_\_\_
- CAF \_\_\_\_\_
- OMP \_\_\_\_\_
- COM \_\_\_\_\_ SS/acc
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- LEG \_\_\_\_\_ Enclosure
- OFC \_\_\_\_\_
- PAI \_\_\_\_\_ cc: Paula Isler
- RGO \_\_\_\_\_
- SEC \_\_\_\_\_
- SER \_\_\_\_\_
- OTH \_\_\_\_\_

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05685 MAY-4 01

FPSC-RECORDS/REPORTING

April 30, 2001

**STATE OF FLORIDA**



**2540 SHUMARD OAK BOULEVARD**

**TO:**

Mr. Sol Stamm, Controller

VOICE: 305-552-3810

FAX: 305-229-5959

**FROM:**

Paula Isler

Voice: (850) 413-6502

Fax: (850) 413-6503

**RE:**

Docket No. 010416-TA

Good afternoon, Mr. Stamm:

The Commission has received your settlement proposal, along with payment of the past due amount in full. The only element missing from the proposal is the waiver of objection statement. Our Division of Legal Services has advised me that when a Proposed Agency Action Order has not been issued in a docket, the waiver of objection statement must be included in settlement proposals. If you still have my April 16 letter to you, it is the 4th "bullet" on page 2. If you do not, let me know and I will refax it.

Until your April 20, 2001 settlement proposal is supplemented to include the waiver of objection statement, I cannot recommend acceptance of your settlement offer. Please let me know if you have any questions. I need this information by May 21 to avoid any delays. Thanks, Paula.