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July 11, 2002

VIA FEDERAL EXPRESS

Thomas D. Hall, Clerk
Supreme Court of Florida
500 South Duval Street
Tallahassee, FL 32399

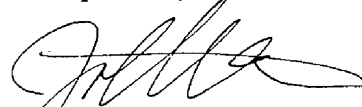
001148

Re: *South Florida Hospital and Healthcare Association, et al. vs.
Lila A. Jaber, et al.*, Case No. SC02-1023

Dear Mr. Hall:

Enclosed for filing in the above-referenced case are the original and one copy of the Appellees' Motion for Extension of Time to Serve Answer Brief, together with an additional copy which I ask that you stamp and return to me in the enclosed self-addressed stamped envelope. If you require any additional copies of this motion, please feel free to contact me.

Respectfully submitted,



John T. Butler, P.A.

Encl.
Copy to: Parties of Record

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CAF _____
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CTR _____
ECR _____
GCL _____
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IN THE SUPREME COURT OF FLORIDA

SOUTH FLORIDA HOSPITAL AND
HEALTHCARE ASSOCIATION et al.,

Appellants,

v.

LILA A. JABER, et al.,

Appellees.

CASE NO. SC02-1023

**MOTION FOR
EXTENSION OF TIME TO SERVE ANSWER BRIEF**

Appellees, the Florida Public Service Commission (“FPSC”) and its Commissioners, the Office of Public Counsel, the Florida Industrial Power Users Group, Florida Power & Light Company (“FPL”), the Florida Retail Federation, Lee County, Florida, Publix Super Markets, Inc., and Thomas P. and Genvieve Twomey (collectively referred to herein as “Appellees”) hereby request an extension of time through and including August 30, 2002, for Appellees to serve their Answer Brief, and state:

1. This is an appeal of an FPSC order approving a stipulation and settlement that concluded a lengthy investigation into FPL’s retail electric rates. The record on appeal is voluminous, comprising over 13,000 pages. Responding to the Appellants’ challenge of the FPSC order necessarily entails a painstaking and time-consuming review of that record. The twenty days normally allotted by Fla. R. App. P. 9.210 for the filing of answer briefs is insufficient for the Appellees to complete that review and prepare their answer briefs. This is exacerbated by substantial other commitments that counsel for the Appellees must honor. The Appellees seek an extension of thirty-two days (from July 29, 2002, to August 30, 2002) to file

their answer briefs. This amount of time is necessary for counsel to prepare their answer briefs while honoring their other commitments.

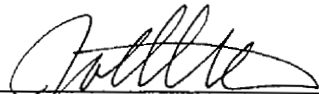
2. The Appellants will not be prejudiced by the granting of this motion. They have shown no haste in filing their initial brief, doing so at the end of the seventy-day period allotted by Fla. R. App. P. 9.110. Moreover, the Appellants have not sought to stay the FPSC order that they appealed. There is nothing to suggest that filing answer briefs on August 30, 2002, as requested by this motion, instead of July 29, 2002, would adversely affect the Appellants in any way.¹

3. The undersigned counsel has confirmed that the Appellees concur with and join in this motion. Pursuant to Fla. R. App. P. 9.300(a), the undersigned counsel has conferred with counsel for the Appellants and has been advised that the Appellants object to the extension of time requested in this motion.

Respectfully submitted,

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Counsel for Appellee Florida Power &
Light Company

By: 

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Fla. Bar No. 283479

¹ The FPSC order that the Appellants have challenged resulted in a \$250 million reduction in the retail electric rates charged to FPL customers, including the Appellants. That rate reduction will continue to benefit the Appellants while this appeal is pending.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U.S. mail this 11th day of July, 2002 to the following parties of record:

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