

**RUTLEDGE, ECENIA, PURNELL & HOFFMAN**

PROFESSIONAL ASSOCIATION  
ATTORNEYS AND COUNSELORS AT LAW

**ORIGINAL**

STEPHEN A. ECENIA  
RICHARD M. ELLIS  
KENNETH A. HOFFMAN  
THOMAS W. KONRAD  
MICHAEL G. MAIDA  
MARTIN P. McDONNELL  
J. STEPHEN MENTON

POST OFFICE BOX 551, 32302-0551  
215 SOUTH MONROE STREET, SUITE 420  
TALLAHASSEE, FLORIDA 32301-1841

TELEPHONE (850) 681-6788  
TELECOPIER (850) 681-6515

R. DAVID PRESCOTT  
HAROLD F. X. PURNELL  
MARSHA E. RULE  
GARY R. RUTLEDGE  
GOVERNMENTAL CONSULTANTS  
MARGARET A. MENDUNI  
M. LANE STEPHENS

October 4, 2002

Christiana Moore, Esq.  
Florida Public Service Commission  
Division of Appeals  
Room 301G  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

**HAND DELIVERY**

RECEIVED - FPSC  
02 OCT -4 PM 4:48  
COMMISSION  
CLERK

RE: Docket Number 011351-EI

Dear Ms. Moore:

This letter responds to your letter to me dated September 30, 2002 regarding the comments concerning the proposed changes to Rules 25-6.044 and 25-6.0455 filed by the Investor Owned Utilities ("IOUs") on September 20, 2002 (the "September 20 letter") in the above referenced docket.

As stated in the September 20 letter, the IOUs support the proposed rule changes for the purposes of reporting. The intent of the IOUs in filing the September 20 letter was not to request changes to the proposed rules. Our intent was to ensure that the Commission was on notice of our position that any future proposed use of the new reporting requirements for the purpose of establishing standards and associated rewards/penalties would require the IOUs to incur substantial modifications and upgrades to provide a greater level of accuracy than that currently provided from our current systems and processes. In the September 20 letter, the IOUs provided a rough estimate of increased costs of over \$75 million to complete the modifications necessary to provide the accuracy required by the standards and rewards/penalties provisions drafted (and subsequently removed) by Staff for discussion purposes in this rulemaking process.

AUS \_\_\_\_\_  
CAF \_\_\_\_\_  
CMP \_\_\_\_\_  
COM \_\_\_\_\_  
CTR \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL \_\_\_\_\_  
OPC \_\_\_\_\_  
MMS \_\_\_\_\_  
SEC   1    
OTH \_\_\_\_\_

RECEIVED & FILED

*RLM*

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER - DATE

10777 OCT -4 02

FPSC-COMMISSIONER'S CLERK

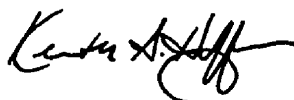
Page 2

October 4, 2002

The IOUs did not intend by virtue of the September 20 letter to suggest any changes to the proposed rules and are not requesting that the proposed rules be brought back before the Commission at a future agenda conference.

I hope this letter was fully responsive to your request for clarification. A copy of this letter is being filed with the Commission Clerk and Administrative Services.

Sincerely,



Kenneth A. Hoffman

KAH/knb

cc: Honorable Blanca Bayo, Director, Commission Clerk and Administrative Services  
Mary Ann Helton, Esq.  
Mr. Jim Breman  
Mr. Bill McNulty  
Mr. Bill Feaster  
Mr. Dave Bromley  
Mr. Bob Valdez  
Mr. Sam Spillman  
Mr. Dave Stephens  
Mr. Ed Battaglia  
Mr. Don Myers  
Mr. Richard Shaheen