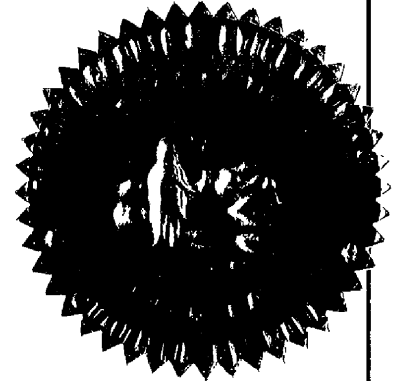


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 011666-TP

In the Matter of

PETITION BY GLOBAL NAPS, INC.
FOR ARBITRATION PURSUANT TO 47
U.S.C. 252(b) OF INTERCONNECTION
RATES, TERMS AND CONDITIONS
WITH VERIZON FLORIDA INC.



ELECTRONIC VERSIONS OF THIS TRANSCRIPT ARE
A CONVENIENCE COPY ONLY AND ARE NOT
THE OFFICIAL TRANSCRIPT OF THE HEARING,
THE .PDF VERSION INCLUDES PREFILED TESTIMONY.

PROCEEDINGS: PREHEARING CONFERENCE

BEFORE: COMMISSIONER J. TERRY DEASON
Prehearing Officer

DATE: Monday, February 17, 2003

TIME: Commenced at 1:35 p.m.
Concluded at 1:57 p.m.

PLACE: Betty Easley Conference Center
Room 152
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: TRICIA DeMARTE, RPR
Official FPSC Reporter
(850) 413-6736

DOCUMENT NUMBER DATE
01679 FEB 18 06
FPSC-COMMISSION CLERK

1 APPEARANCES:

2 JON C. MOYLE, JR., and CATHY M. SELLERS, Moyle,
3 Flanigan, Katz, Raymond & Sheehan, P.A., 118 North Gadsden
4 Street, Tallahassee, Florida 32301, appearing on behalf of
5 Global NAPs, Inc.

6 JAMES R. J. SCHELTEMA, Global NAPs, Inc., 5042
7 Durham Road West, Columbia, Maryland 21044, appearing on behalf
8 of Global NAPs, Inc., participating telephonically.

9 KELLY L. FAGLIONI and EDWARD P. NOONAN, Hunton &
10 Williams, Riverfront Plaza, East Tower, 951 East Byrd Street,
11 Richmond, Virginia 23219-4074, appearing on behalf of Verizon
12 Florida, Inc., participating telephonically.

13 LEE FORDHAM, Florida Public Service Commission,
14 Office of the General Counsel, 2540 Shumard Oak Boulevard,
15 Tallahassee, Florida 32399-0850, appearing on behalf of the
16 Commission Staff.

17

18

19

20

21

22

23

24

25

P R O C E E D I N G S

1
2 COMMISSIONER DEASON: Call the prehearing conference
3 to order. Could I have the notice read, please.

4 MR. FORDHAM: Pursuant to notice published on
5 February 10th, 2003, this time and place has been set for a
6 prehearing conference in Docket Number 011666-TP for the
7 purposes set forth in the notice.

8 COMMISSIONER DEASON: Thank you. Take appearances.

9 MR. MOYLE: Jon Moyle, Jr., with the Moyle, Flanigan
10 Law Firm appearing on behalf of the petitioner Global NAPs,
11 along with Cathy Sellers.

12 Mr. Scheltema, who is on the phone, can enter an
13 appearance separately.

14 COMMISSIONER DEASON: Okay. Please proceed.

15 MR. SCHELTEMA: Jim Scheltema on behalf of Global
16 NAPs.

17 MR. NOONAN: This is Ed Noonan and Kelly Faglioni of
18 Hunton & Williams on behalf of Verizon Florida.

19 COMMISSIONER DEASON: Okay. Could I have those names
20 again, please.

21 MR. NOONAN: Yes. This is Ed Noonan and Kelly
22 Faglioni.

23 COMMISSIONER DEASON: Okay. Thank you.

24 MR. NOONAN: Thank you.

25 COMMISSIONER DEASON: Is Ms. Caswell going to be

1 joining us today?

2 MR. NOONAN: No, she's not, sir.

3 COMMISSIONER DEASON: Okay, very well.

4 Okay. Staff.

5 MR. FORDHAM: And Lee Fordham, Commission staff.

6 COMMISSIONER DEASON: Okay. Do we have any
7 preliminary matters we need to address?

8 MR. FORDHAM: Commissioner, there is one item.
9 Friday afternoon there was a motion filed. It was a motion to
10 allow surrebuttal or any alternative to strike portions of the
11 rebuttal testimony of Global NAPs' witness Lee Selwyn.
12 Obviously the response time has not run, but staff was
13 certainly hoping that we could get some agreement on that and
14 dispose of that motion today if the parties are willing to do
15 so.

16 COMMISSIONER DEASON: Mr. Moyle.

17 MR. MOYLE: On behalf of Global NAPs, the motion was
18 just filed late last week, and we plan to respond, but we might
19 be able to short-circuit that through a discussion. We were
20 not contacted in advance of the motion, but I think consistent
21 with the Commission practice and policy, we believe the
22 Commission will be benefited by having a full airing of the
23 issues and the facts.

24 And while we don't necessarily agree with what's set
25 forth in the motion with respect to the characterizations of

1 Mr. Selwyn's testimony and whatnot, we don't have a strenuous
2 objection to allowing the surrebuttal coming in so that you-all
3 will have what we believe are a full airing of the issues to
4 make your decision.

5 So that's kind of a mild objection, but we would
6 rather see the surrebuttal come in than Mr. Selwyn's testimony
7 struck. We think that it's better to have more information in
8 front of you than less. So we would take that position.

9 COMMISSIONER DEASON: Very well. Mr. Noonan?

10 MR. NOONAN: Yes, sir.

11 COMMISSIONER DEASON: When can the surrebuttal
12 testimony be filed?

13 MR. NOONAN: We filed it in conjunction with our
14 motion on Friday.

15 COMMISSIONER DEASON: So it has already been filed.

16 MR. NOONAN: Yes, sir.

17 COMMISSIONER DEASON: Okay.

18 MR. MOYLE: And the only caveat might be, to the
19 extent there are new issues raised in that surrebuttal or
20 anything that might need some type of follow-up questioning,
21 that we have the latitude to possibly explore that.

22 COMMISSIONER DEASON: Well, what I'll do is,
23 Mr. Moyle, I'm going to allow the surrebuttal testimony. I
24 will give you an opportunity to review that in greater detail
25 and allow you latitude to pursue thorough cross-examination. I

1 will also give you the latitude that at the time of hearing if
2 you need to file an objection to any part of that testimony,
3 I'll allow you to do that at that time. It will just be, we'll
4 take it up during the normal course of the hearing. Is that
5 sufficient?

6 MR. MOYLE: That is. Thanks.

7 COMMISSIONER DEASON: Mr. Noonan, is that sufficient
8 for your needs?

9 MR. NOONAN: Yes, sir.

10 COMMISSIONER DEASON: Very well. Staff, do you have
11 any objections?

12 MR. FORDHAM: No, Commissioner. I think that's a
13 good disposition. However, after reviewing that if staff feels
14 a need for discovery, we would like to ask for, like, a ten-day
15 turnaround on any discovery inquiries that may be made based on
16 that testimony.

17 MR. NOONAN: That's fine with Verizon, Your Honor.

18 COMMISSIONER DEASON: Very well, Mr. Noonan. I will
19 allow staff the latitude then to review that and conduct
20 whatever discovery on an expedited basis they deem appropriate.
21 Hopefully that can be turned around in the time frame requested
22 by staff. If there are any problems, staff, you know you can
23 reach me and we'll dispose of it as necessary.

24 MR. FORDHAM: Thank you, Commissioner.

25 MR. MOYLE: And if we could just have that same

1 right, if we could, we'd appreciate it.

2 COMMISSIONER DEASON: Mr. Noonan, any problem with
3 Global NAPs being able to file discovery on that surrebuttal?

4 MR. NOONAN: No, Your Honor.

5 COMMISSIONER DEASON: Very well.

6 MR. MOYLE: Thank you.

7 COMMISSIONER DEASON: I will afford you the same
8 opportunity I just afforded staff. Very well then. I believe
9 that would dispose of the motion for leave to file surrebuttal.

10 And then while we're talking about pending matters,
11 Mr. Fordham, I understand that there was a -- that Global NAPs
12 has filed a request for a qualified representative. I hope
13 there are no objections to that; is that correct?

14 MR. FORDHAM: No, Commissioner, I think the order is
15 either prepared or will imminently be so.

16 COMMISSIONER DEASON: Very well.

17 MR. FORDHAM: And we will be recommending that it be
18 granted.

19 COMMISSIONER DEASON: Okay. Staff, do you have any
20 other preliminary matters we need to address?

21 MR. FORDHAM: Only the question of whether the
22 parties wish opening statements, and if so, the time.

23 COMMISSIONER DEASON: Mr. Moyle, do you have a
24 preference?

25 MR. MOYLE: We'd like to reserve the right to make a

1 brief opening statement, if that's agreeable.

2 COMMISSIONER DEASON: Mr. Noonan, what is your
3 position on opening statements?

4 MR. NOONAN: We're agreeable to that, Your Honor.

5 COMMISSIONER DEASON: Mr. Moyle, what would be a
6 sufficient time frame?

7 MR. MOYLE: I think the draft prehearing order has
8 ten minutes; that would work.

9 COMMISSIONER DEASON: Mr. Noonan, is ten minutes
10 sufficient?

11 MR. NOONAN: That's plenty of time, sir.

12 COMMISSIONER DEASON: Very well. Mr. Fordham, just
13 include then in the prehearing order that opening statements
14 will be allowed, but they will be limited to ten minutes per
15 side.

16 MR. FORDHAM: Thank you, Commissioner.

17 COMMISSIONER DEASON: Very well.

18 MR. FORDHAM: Those are all the preliminary matters
19 that staff has.

20 COMMISSIONER DEASON: Mr. Moyle, do you have any
21 preliminary matters?

22 MR. MOYLE: I think that covers it.

23 COMMISSIONER DEASON: Okay. Mr. Noonan, do you have
24 any preliminary matters?

25 MR. NOONAN: Your Honor, we had -- well, I had

1 briefly spoke with Mr. Scheltema today about waiving cross on
2 witnesses, and he can jump in and correct me if I'm wrong on
3 any of the particulars, but I think we discussed the
4 possibility about submitting the testimony on paper if staff
5 and yourself were amenable to that.

6 COMMISSIONER DEASON: Which witnesses does this
7 apply?

8 MR. NOONAN: This would apply to all of them, sir.

9 COMMISSIONER DEASON: All of Verizon's witnesses?

10 MR. NOONAN: And Global's witness Dr. Selwyn.

11 COMMISSIONER DEASON: Oh, you're talking about the
12 Global NAPs witnesses.

13 MR. SCHELTEMA: Yeah, in other words, the entire
14 proceeding would be on paper.

15 COMMISSIONER DEASON: In other words, you're talking
16 about waiving cross-examination of all witnesses and having
17 prefiled testimony inserted into the record and that would
18 become the record basis for the decision.

19 MR. NOONAN: Yes, sir.

20 COMMISSIONER DEASON: Well, I'm open to hear a
21 discussion on that. I mean, certainly it is intriguing.

22 MR. SCHELTEMA: On behalf of Global NAPs, I think it
23 would be an efficient way to do the proceeding and relieve the
24 Commission at least of some administrative burdens.

25 COMMISSIONER DEASON: Now, we just had a discussion

1 about surrebuttal testimony that has not yet been subject to
2 discovery, and I indicated that there would be the ability to
3 conduct cross-examination. So we need to discuss how that
4 would mesh with this. Would that right still be reserved and
5 that witness would be in attendance at the hearing, if
6 necessary, for cross-examination?

7 MR. NOONAN: Yes, if that's necessary.

8 COMMISSIONER DEASON: Well, it could be that it could
9 be resolved. The parties could discuss it before hearing and
10 that witness would be present only if there was indication from
11 a party that there was cross-examination for the witness.
12 Would that be sufficient?

13 MR. NOONAN: Yes, sir.

14 MR. MOYLE: Another way to handle it would be, if
15 there was discovery, we could serve interrogatories or do a
16 quick deposition and submit that as part of the record.

17 COMMISSIONER DEASON: Very well. I will leave it to
18 staff and the parties to make those accommodations, if
19 possible, so that the witness would not have to actually travel
20 and be present. If we can maintain the record and make sure
21 the record is complete by doing that, that would certainly be
22 efficient and less costly.

23 MR. MOYLE: Right.

24 MR. NOONAN: Your Honor, just one point to follow up
25 on that. We've got some discovery responses and exhibits that

1 we'd like to include in the record as well. If we submit
2 everything on paper, I just want to make sure that we leave
3 that possibility open.

4 COMMISSIONER DEASON: Well, what we can do -- it
5 would certainly be expeditious if that can be discussed with
6 staff and with counsel before hearing and have an agreement as
7 to what actually would be entered into the record. And if that
8 agreement cannot be reached before hearing, it would just be
9 something we would have to discuss at the hearing to see what
10 would actually be incorporated into the record.

11 Staff, do you have an objection to the process that
12 we've just discussed as perhaps following?

13 MR. FORDHAM: No, Commissioner. As you're aware,
14 we're doing that with greater frequency where we're just
15 stipulating in the testimony and not calling the witnesses.
16 And apparently staff feels that we can accomplish that
17 prehearing anything that we need to accomplish such as a
18 discovery on the surrebuttal, and certainly staff would have no
19 objection to stipulating in the testimony.

20 COMMISSIONER DEASON: Very well. Well, that sounds
21 very encouraging. I congratulate the parties for the attempt
22 to expedite this and trying to work together to accomplish
23 that.

24 Are there any other preliminary matters?

25 MR. NOONAN: Your Honor, I was just looking through

1 the draft order that was circulated on Friday.

2 COMMISSIONER DEASON: Yes.

3 MR. NOONAN: And I don't know if this is an
4 appropriate time to take it up, but I noticed a few things I
5 just wanted to make note of.

6 COMMISSIONER DEASON: What we're going to do is we're
7 going to proceed through the draft prehearing order before we
8 conclude today. And, in fact, it may be the very next order of
9 business that we go through and that will give you an
10 opportunity to either change or clarify or correct matters that
11 are in the draft. And we'll afford you that opportunity in
12 just a moment. Would that be sufficient?

13 MR. NOONAN: Yes, that's fine.

14 COMMISSIONER DEASON: Very well. Well, then hearing
15 no other preliminary matters, I believe it is now time to
16 proceed through the draft prehearing order. It is my intent to
17 proceed section by section. And I will proceed in rapid
18 fashion unless I hear a party indicate that there are questions
19 or clarifications or corrections that need to be made, and then
20 if there are, we will entertain those and try to resolve them.

21 Having said that then if you can direct your
22 attention to the draft prehearing order, we will begin with
23 Section I. Section II, case background. Section III,
24 confidential information. Section IV, post-hearing procedures.

25 MR. NOONAN: I have a question on the post-hearing

1 procedures.

2 COMMISSIONER DEASON: Yes.

3 MR. NOONAN: There's a post-hearing statement of
4 issues and positions. Is that filed in the post-hearing brief,
5 or is that something that's filed separately?

6 COMMISSIONER DEASON: Mr. Fordham.

7 MR. FORDHAM: I did not quite understand the
8 question, Commissioner.

9 COMMISSIONER DEASON: The position statement, is that
10 part of the post-hearing brief, or is that filed separately?

11 MR. FORDHAM: Generally they file a position
12 statement with their post-hearing brief.

13 MR. NOONAN: Okay. I just wasn't sure about that.
14 Thank you.

15 COMMISSIONER DEASON: Any other questions on
16 Section IV, post-hearing procedures? Hearing none. Then
17 Section V, prefiled testimony and exhibits. Section VI, order
18 of witnesses.

19 Consistent with our previous discussion, Mr. Fordham,
20 I'm sure you will incorporate the necessary language into the
21 prehearing order indicating the desire, first of all, to
22 indicate the addition of surrebuttal testimony and then to
23 indicate the desire to waive cross-examination but leaving the
24 opportunity available for surrebuttal depending upon discovery
25 and how things progress.

1 MR. FORDHAM: Correct, Commissioner. A question that
2 staff had just to reconcile, and it may not be significant at
3 this point, but in the paragraph below the actual listing of
4 witnesses it indicates that Dr. Selwyn might be a witness on
5 Issue 6 also, but that is not reflected in the listing of
6 issues up in the listing of witnesses. I don't know that
7 that's a significant factor, but --

8 COMMISSIONER DEASON: I noticed that too,
9 Mr. Fordham. I had a question also in relation to Dr. Selwyn
10 and Issue 2. I noted that he is listed as the appropriate
11 witness to address Issue 2, but Issue 2 is not addressed in
12 Verizon's potential objection.

13 Perhaps, Mr. Noonan, could you explain exactly what
14 you're trying to accomplish here?

15 MR. NOONAN: Yes, sir, Your Honor. About ten days
16 ago we filed a joint errata. In that joint errata, we
17 indicated that Dr. Selwyn is not the witness for Issue 2 which
18 addresses two-way trunks, but in Global's prehearing statement
19 he was listed as the witness for Issue 2.

20 COMMISSIONER DEASON: Okay. Let me interrupt for
21 just a moment then. Mr. Moyle, is Dr. Selwyn addressing Issue
22 2, or do you know?

23 MR. MOYLE: If I could defer to Mr. Scheltema on
24 that.

25 COMMISSIONER DEASON: Okay.

1 MR. SCHELTEMA: Dr. Selwyn does not address two-way
2 trunking, sir.

3 COMMISSIONER DEASON: Okay. He does not address
4 Issue 2; is that correct?

5 MR. SCHELTEMA: Yes, that was an error.

6 COMMISSIONER DEASON: Okay. We will then delete the
7 reference to Issue 2 by Dr. Selwyn.

8 MR. FORDHAM: And Issue 6, is that -- he will be
9 addressing Issue 6?

10 MR. SCHELTEMA: And Issue 6 is, Mr. Fordham?

11 MR. MOYLE: "Should the parties' interconnection
12 agreement include a change in law provision specifically
13 devoted to the ISP Remand Order?"

14 MR. SCHELTEMA: He is able to do so from a policy
15 perspective, but no testimony has yet to be filed on that
16 because we consider that a legal matter and something that can
17 be done in brief.

18 COMMISSIONER DEASON: Does that answer your question,
19 Mr. Noonan?

20 MR. NOONAN: Yes, Your Honor.

21 COMMISSIONER DEASON: Very well. So at this point
22 then can we just delete the reference to Issue 6 as it pertains
23 to potential voir dire of Dr. Selwyn?

24 MR. NOONAN: Yes, sir.

25 MR. MOYLE: Obviously given our understanding we

1 reached with respect to voir dire, if no one is going to be
2 here, we probably don't need to reserve that right. I had a
3 conversation with staff earlier just to make sure that if we
4 were going to have witnesses, that the right to conduct voir
5 dire was mutual, and I think we agreed to that, but if we're
6 not going to have witnesses, we probably can just remove that
7 whole paragraph.

8 COMMISSIONER DEASON: It would seem logical to me
9 that if the -- we're not going to have cross-examination and
10 witnesses are not going to be present, there's not going to be
11 the opportunity for voir dire, so --

12 MR. NOONAN: That seems right.

13 COMMISSIONER DEASON: Mr. Fordham, you can just make
14 sure that's correct in the prehearing --

15 MR. FORDHAM: Yes, thank you.

16 MR. MOYLE: I think also Mr. Rooney -- and, Jim,
17 correct me if I'm wrong, but Mr. Rooney is not providing any
18 testimony, so the reference there should be removed.

19 MR. SCHELTEMA: Thank you.

20 MR. NOONAN: And, Your Honor, we had a witness, Kevin
21 Collins, who filed rebuttal testimony on January the 18th, and
22 that's not listed under the rebuttal column. In addition to
23 Kevin Collins, Peter D'Amico and Terry Haynes also filed
24 rebuttal testimony, and their names are not listed under the
25 rebuttal column as well.

1 COMMISSIONER DEASON: Mr. Fordham, is that just
2 corrections that need to be made?

3 MR. FORDHAM: Those are corrections we need to make
4 to update the order. Obviously this doesn't incorporate the
5 very latest. Who were the other witnesses, Kevin Collins and?

6 MR. NOONAN: Peter D'Amico and Terry Haynes.

7 MR. FORDHAM: Okay. Thank you.

8 MR. NOONAN: Thanks.

9 COMMISSIONER DEASON: Very well. Okay. I think we
10 can leave then Section VI unless there are any other last
11 matters on Section VI. Hearing none. Section VII, basic
12 positions, any changes or corrections? Hearing none.

13 Section VIII, we will proceed through that section
14 issue by issue beginning with Issue 1A. Issue 1B. Issue 2.
15 Issue 3A. Issue 3B. Issue 4. Issue 5. Issue 6. Issue 7.
16 Issue 8. Issue 9. Issue 10. Issue 11.

17 That may have been a record, Mr. Moyle. We went
18 through all the issues without any discussion.

19 Section IX, exhibit list, any changes or corrections
20 to the exhibit list? Hearing none. Section X, proposed
21 stipulations. Mr. Fordham, perhaps this would be the
22 appropriate place to indicate the stipulated testimony and
23 waiving of cross-examination.

24 We have already discussed Section XI, pending
25 motions. Section XII, pending confidentiality.

1 MR. FORDHAM: We've had none.

2 MR. NOONAN: We don't have anything.

3 COMMISSIONER DEASON: Very well. Section XIII,
4 decisions that may impact Commission's resolution of issues,
5 any changes or corrections there? Hearing none. That brings
6 us to Section XIV, rulings. We do have a reference here to the
7 opening statements and --

8 MR. FORDHAM: We'll add the motion, Commissioner.

9 COMMISSIONER DEASON: Very well. That's correct, add
10 the motion there as well. And I believe that concludes the
11 review of the draft prehearing order.

12 Are there any other matters to be brought before the
13 Prehearing Officer at this time? Hearing none. Let me take
14 this opportunity to thank staff and the parties for being
15 extremely well prepared and willing to accommodate each other,
16 and hopefully the hearing can proceed just as smoothly and
17 expeditiously.

18 MR. NOONAN: Your Honor, may I ask one more question?

19 COMMISSIONER DEASON: Surely.

20 MR. NOONAN: If there are no witnesses present for
21 the hearing, are parties still expected to give opening
22 statements?

23 COMMISSIONER DEASON: Mr. Moyle, I think you
24 indicated a desire for opening statements. What would be the
25 case?

1 MR. MOYLE: I haven't talked to the client about it.
2 I historically remember when we were putting evidence in that
3 we haven't gone through opening statements. I would think that
4 would probably be the way we would proceed here unless the
5 Commission feels a great need to have some kind of context set
6 with respect to the issues, but I think we can probably do it
7 all on paper and just show up and get in the direct testimony
8 and the rebuttal testimony and the exhibits and not have a need
9 for opening statements.

10 COMMISSIONER DEASON: I will allow -- I will continue
11 to have the reference to opening statements. And I would just
12 encourage the parties to have an understanding either when you
13 come to hearing have an understanding that there will be
14 opening statements or have an agreement that there will not be
15 opening statements and just indicate to the Chairman that the
16 parties have indicated they do not wish to exercise their right
17 to have opening statements and that will suffice.

18 MR. MOYLE: All right. That makes sense. Maybe one
19 other thing that just because the folks on the phone are well
20 skilled in this area and are probably going to be spending time
21 writing post-hearing briefs and whatnot. The typical time
22 frame for that is -- I'm trying to recall from the date of the
23 hearing when everything would be entered in, they would have
24 approximately how many days?

25 MR. FORDHAM: It's usually 30 days. Let me look at

1 the CASR again.

2 MR. NOONAN: I believe it's April 10th.

3 MR. FORDHAM: Briefs would be due April 10th, yes.

4 COMMISSIONER DEASON: Any objection to April 10th
5 being the briefing schedule?

6 MR. NOONAN: No, sir.

7 COMMISSIONER DEASON: Hearing no objection then we
8 can just live with that date. That's what is scheduled
9 currently; correct, Mr. Fordham?

10 MR. FORDHAM: That's correct.

11 COMMISSIONER DEASON: Okay. Any other final matters?

12 MR. NOONAN: I would just like to thank you all for
13 letting us appear by phone. I know I tried to make it to your
14 neck of the woods yesterday, but the weather didn't permit me,
15 and I appreciate your understanding.

16 COMMISSIONER DEASON: Very well. We always try to
17 accommodate as much as we can.

18 MR. NOONAN: Thank you.

19 COMMISSIONER DEASON: Thank you. This prehearing
20 conference is adjourned. Thank you all.

21 (Prehearing conference concluded at 1:57 p.m.)

22

23

24

25

1 STATE OF FLORIDA)
2 : CERTIFICATE OF REPORTER
3 COUNTY OF LEON)

4
5 I, TRICIA DeMARTE, RPR, Official Commission Reporter, do
6 hereby certify that the foregoing proceeding was heard at the
7 time and place herein stated.

8 IT IS FURTHER CERTIFIED that I stenographically
9 reported the said proceedings; that the same has been
10 transcribed under my direct supervision; and that this
11 transcript constitutes a true transcription of my notes of said
12 proceedings.

13 I FURTHER CERTIFY that I am not a relative, employee,
14 attorney or counsel of any of the parties, nor am I a relative
15 or employee of any of the parties' attorneys or counsel
16 connected with the action, nor am I financially interested in
17 the action.

18 DATED THIS 18th DAY OF FEBRUARY, 2003.

19
20
21
22
23
24
25


TRICIA DeMARTE, RPR
FPSC Official Commission Reporter
(850) 413-6736