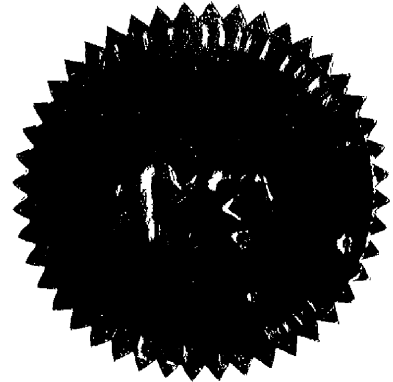


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 020960-TP

In the Matter of

PETITION FOR ARBITRATION OF OPEN
ISSUES RESULTING FROM INTERCONNECTION
NEGOTIATIONS WITH VERIZON FLORIDA,
INC. BY DIECA COMMUNICATIONS, INC.
d/b/a COVAD COMMUNICATIONS COMPANY.



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PROCEEDINGS: PREHEARING CONFERENCE

BEFORE: COMMISSIONER J. TERRY DEASON
PREHEARING OFFICER

DATE: Monday, April 21, 2003

TIME: Commenced at 1:30 p.m.
Concluded at 2:01 p.m.

PLACE: Room 152
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida 32399-0850

REPORTED BY: JANE FAUROT, RPR
Chief, Office of Hearing Reporter Services
FPSC Division of Commission Clerk and
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(850) 413-6732

1 APPEARANCES:

2 ANTHONY HANSEL, Covad Communications Company, 600
3 14th Street, NE, Suite 750, Washington DC 20005 and CHARLES
4 WATKINS, 1230 Peachtree Street, NE, 19th Floor, Atlanta,
5 Georgia 30309-3574, appearing on behalf of Covad Communications
6 Company.

7 AARON PANNER and SCOTT ANGSTREICH, Kellog Huber Law
8 Firm, 1615 M Street, NW, Suite 400, Washington, DC 20036,
9 appearing on behalf of Verizon Florida, Inc.

10 VICKI GORDON KAUFMAN, Esquire, McWhirter Reeves
11 McGlothlin, 117 South Gadsden Street, Tallahassee, Florida
12 32301, appearing on behalf of Covad Communications Company.

13 LEE FORDHAM, Esquire, FPSC General Counsel's Office,
14 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850,
15 appearing on behalf of the Commission Staff.

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P R O C E E D I N G S

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COMMISSIONER DEASON: We will call the prehearing conference to order. And we will begin by having the notice read.

MR. FORDHAM: Pursuant to notice published on April 9, 2003, this time and place has been set for a prehearing conference in Docket Number 020960-TP for the purpose as set forth in the notice.

COMMISSIONER DEASON: Thank you. We will take appearances. Ms. Kaufman, we will begin with you.

MS. KAUFMAN: I'm Vicki Gordon Kaufman. I am here on behalf of Covad Communications Company, and I have, I believe, two co-counsel on the telephone.

MR. WATKINS: Yes. Gene Watkins with Covad and Tony Hansel. Are you on, Tony?

MR. HANSEL: Yes, I'm on. Tony Hansel with Covad.

COMMISSIONER DEASON: Okay.

MR. PANNER: Your Honor, on behalf of Verizon, Aaron Panner and Scott Angstreich with Kellog, Huber, Hansen, Todd & Evans.

COMMISSIONER DEASON: I'm sorry, we may have a bad connection. Could you repeat that again, please?

MR. PANNER: Certainly. It's Aaron Panner and Scott Angstreich with Kellog, Huber, Hansen, Todd & Evans for Verizon.

1 COMMISSIONER DEASON: Okay. Could you pronounce or
2 could you spell Scott's last name for us, please.

3 MR. PANNER: Certainly. It is Angstreich spelled
4 A-N-G-S-T-R-E-I-C-H.

5 COMMISSIONER DEASON: Thank you.

6 MR. FORDHAM: And Lee Fordham representing the
7 Commission.

8 COMMISSIONER DEASON: Mr. Fordham, do we have any
9 preliminary matters?

10 MR. FORDHAM: Commissioner, we actually do. On
11 Friday we received a package including transcripts from
12 hearings between these parties from two other states, New York
13 and Pennsylvania, with a letter requesting that in lieu of a
14 live hearing we introduce those transcripts plus all testimony
15 which has been submitted in this docket and then make a ruling
16 on the evidence absent a live hearing. So that would be, I
17 guess, the most significant thing to discuss at this point.

18 COMMISSIONER DEASON: Well, let me ask this question.
19 The proposal is to take the transcripts of the proceedings in
20 two other states and to have that incorporated into the record
21 in this proceeding, is that correct?

22 MR. FORDHAM: That is correct, along with the normal
23 testimony that would have been introduced anyway.

24 COMMISSIONER DEASON: Along with exhibits?

25 MR. FORDHAM: Correct.

1 COMMISSIONER DEASON: Ms. Kaufman, that is your
2 understanding?

3 MS. KAUFMAN: Yes, Commissioner Deason. I don't
4 believe there are any exhibits, but exactly as he has said.
5 And though I didn't reference it in my letter, to the extent
6 that staff would want to put in any of the discovery that has
7 been conducted in this case, which has only been on staff's
8 part, we would certainly be willing to put that in the record,
9 as well.

10 COMMISSIONER DEASON: Mr. Panner, can confirm that
11 from your perspective?

12 MR. PANNER: Yes, Commissioner, that is our
13 understanding of how it would work. And for what it is worth,
14 Verizon was involved in a proceeding with US LEC also in our
15 petition for arbitration that employed a similar procedure.

16 COMMISSIONER DEASON: Very well. Staff, what is your
17 position on this?

18 MR. FORDHAM: Commissioner, staff would not be
19 opposed to that with the proviso that after reviewing those
20 transcripts and the testimony, we would reserve the right to
21 have depositions if we felt necessary for filling in gaps that
22 we perceive from our perspective.

23 COMMISSIONER DEASON: I would take it the parties
24 would facilitate those depositions?

25 MS. KAUFMAN: Yes, we certainly would.

1 COMMISSIONER DEASON: Mr. Panner?

2 MR. PANNER: Yes, Commissioner.

3 MR. FORDHAM: Commissioner, I might also add that I
4 checked with the other two members of the panel and they have
5 no objection to that if you, as the prehearing officer, wishes
6 to make that decision.

7 COMMISSIONER DEASON: If we were to follow this
8 process would there actually be a need to have any -- there
9 would be no need for witnesses present, we could convene the
10 hearing and make sure that the record is complete and go
11 through that process, and that would be the sum total of the
12 hearing process in the Florida proceedings, is that correct?

13 MS. KAUFMAN: Yes. And it's my understanding that
14 that is exactly what happened in the US LEC case, that Verizon
15 counsel referenced the -- I believe the attorneys appeared, the
16 testimony was entered into the record, as well as any exhibits,
17 and I believe the transcripts that we are talking about from
18 the other jurisdictions were actually made exhibits and entered
19 into the record, and then the hearing was concluded. Of
20 course, we want the opportunity to brief the case the way we
21 normally would.

22 COMMISSIONER DEASON: Okay. What about the need for
23 opening statements, would there be a need for that or would
24 that be foregone, as well?

25 MS. KAUFMAN: Subject to checking with my co-counsel

1 on the telephone, I believe that that would be foregone. Is
2 that correct?

3 MR. HANSEL: It is.

4 MR. PANNER: Commissioner, this is Aaron Panner. We
5 did not have opening statements in the US LEC matter. We
6 actually held that conference with telephonic -- or I should
7 say that hearing with telephonic appearances as well as live
8 appearances in order to get all of the appropriate testimony
9 into the record, but the parties were able to rely on that
10 record to prepare written submissions of briefs.

11 COMMISSIONER DEASON: Very well. And, Staff, you
12 have confirmed with the other Commissioners on this panel that
13 they were in agreement that this would be an acceptable process
14 and that there is no -- there is not a need for them to have
15 live witnesses present to ask questions to in the hearing, is
16 that correct?

17 MR. FORDHAM: That is correct, Commissioner, I have
18 confirmed with both of them.

19 COMMISSIONER DEASON: Okay. We probably need to
20 review the draft prehearing order and go through that process,
21 and if there are matters in the prehearing order which as a
22 result of the agreement with the insertion of testimony, if any
23 of that becomes irrelevant, well, then we will make whatever
24 changes are necessary as a result. But if there are no -- let
25 me ask, are there any other preliminary matters by the parties,

1 Ms. Kaufman?

2 MS. KAUFMAN: No, sir.

3 COMMISSIONER DEASON: Mr. Panner, do you have any
4 other preliminary matters before we go through the prehearing
5 order?

6 MR. PANNER: No, Commissioner.

7 COMMISSIONER DEASON: Very well. As is customary, it
8 is my desire to proceed section-by-section through the draft
9 prehearing order. Probably we will go in rapid fashion, but if
10 there are any questions or clarifications, changes or
11 corrections which need to be made as we proceed, please let me
12 know and we will devote whatever time is necessary to get that
13 addressed. So having said that, we will begin with Section I,
14 the conduct of proceedings. Section II, case background.
15 Section III, confidential information. Section IV,
16 post-hearing procedures.

17 MS. KAUFMAN: Commissioner Deason, we do have a
18 request in that section, and that is the order on my Page 4
19 contemplates, I guess, the typical 40 pages for the
20 post-hearing submission. And since we are doing this basically
21 on the paper and we have some 32 issues which at least today
22 are outstanding, we wanted to request additional pages beyond
23 the 40. And what we would ask would be 80 pages for the
24 post-hearing submission.

25 COMMISSIONER DEASON: Mr. Panner, do you have a

1 response?

2 MR. PANNER: We have no objection to that. I don't
3 think that Verizon feels it will need all 80, but we have no
4 objection.

5 COMMISSIONER DEASON: Staff?

6 MR. FORDHAM: Likewise, Staff can live with it,
7 Commissioner.

8 COMMISSIONER DEASON: Okay. I will make the change
9 to 80, and I would just request that the parties just because
10 it is 80 you do not have to submit 80 pages.

11 MS. KAUFMAN: I understand, Commissioner.

12 COMMISSIONER DEASON: But I do understand that there
13 are quite a few issues to be addressed.

14 MS. KAUFMAN: Thank you.

15 COMMISSIONER DEASON: Section V, prefiled testimony
16 and exhibits. Section VI, order of witnesses.

17 MR. FORDHAM: Which becomes irrelevant under our
18 present plan.

19 COMMISSIONER DEASON: But it is nice to have an order
20 as we go through the process of inserting everything. Let me
21 clarify one thing. We will still continue to -- we will insert
22 the prefiled testimony of these witnesses as listed, or are we
23 going to rely upon the transcripts to be in lieu of this
24 prefiled testimony?

25 MR. FORDHAM: Commissioner, it's my understanding

1 that the testimony in this docket will also be included in the
2 record.

3 COMMISSIONER DEASON: Ms. Kaufman?

4 MS. KAUFMAN: Yes, Commissioner.

5 COMMISSIONER DEASON: Mr. Panner?

6 MR. PANNER: Yes, that would be our understanding.

7 COMMISSIONER DEASON: Okay. Very well. Just
8 clarifying that. That was my understanding, as well.

9 MR. PANNER: Commissioner, this is Aaron Panner. I
10 don't think that we need to take time with it now because of
11 the likelihood that it will be overtaken by events, but if it
12 were to come to pass that we did end up having a hearing with
13 live witnesses, Verizon would propose a slightly different
14 order where there would be an opportunity to present panels of
15 witnesses.

16 I think that the general identification of witnesses
17 with issues here is more or less correct, but we actually --
18 again, I don't think that this is going to be relevant, so I don't
19 want to waste a lot of everybody's time with it now, but I
20 guess we would like to reserve our right, to the extent that a
21 hearing becomes likely, that a slightly different order of
22 witnesses and procedure could be proposed.

23 COMMISSIONER DEASON: What we will do is we will
24 leave the order of witnesses in place as it currently exists
25 and with the expectation that live appearances of witnesses is

1 probably going to be a remote probability. But even if that is
2 the case for some reason we will allow you the flexibility to
3 request a change in that. But I would only request that if
4 that happens that you confer with opposing counsel and make
5 sure that they are on notice that you would be changing that
6 order as quickly as you know.

7 MR. PANNER: That's fine, Your Honor. And I should
8 mention that we have been -- we spoke to Mr. Watkins today
9 about it and have spoken with Mr. Hansel about it in the past.
10 And I think actually the parties are in general agreement as to
11 how it could be handled. But, again, it seems like a fairly
12 remote possibility, it's not worth taking a lot of time with it
13 now, perhaps.

14 COMMISSIONER DEASON: Very well. Section VII, basic
15 positions. Section VIII, issues and positions. We will begin
16 with Issue 1. Issue 2. Issue 3 has been resolved, and I
17 assume that we are listing it that way just to preserve the
18 numbering of issues.

19 MR. FORDHAM: That is correct, Commissioner. Less
20 confusion.

21 COMMISSIONER DEASON: Very well. Issue 4. Issue 5.
22 Issue 6, resolved. Issue 7. Issue 8. Issue 9. Issue 10.
23 Issue 11, resolved. Issue 12.

24 MS. KAUFMAN: Commissioner, I do have a very slight
25 change to Issue 12, and that is simply that there needs to be

1 quotation marks inserted beginning with the second paragraph
2 that starts, "Verizon will provide," and concluding with the
3 following paragraph after the word affiliate, just to make it
4 clear that that is the contract language we are talking about.

5 COMMISSIONER DEASON: I'm sure that change can be
6 made.

7 MR. FORDHAM: Yes.

8 COMMISSIONER DEASON: Any other changes?

9 MR. FORDHAM: That would be the two paragraphs in
10 quotation marks?

11 MS. KAUFMAN: Yes, Mr. Fordham.

12 COMMISSIONER DEASON: That is my understanding, both
13 of those paragraphs. Any other changes to 12. Hearing none,
14 Issue 13. Issues 14 through 18, resolved. Issue 19. Issues
15 20 and 21, resolved. Issue 22.

16 MS. KAUFMAN: Commissioner, I have a similar change
17 on 22, which is that the second paragraph in Covad's position
18 should be in quotation marks.

19 COMMISSIONER DEASON: Very well. And that change
20 will be made.

21 MR. FORDHAM: That is the entire paragraph?

22 MS. KAUFMAN: Yes, the entire second paragraph only.

23 MR. FORDHAM: Thank you.

24 COMMISSIONER DEASON: Any other changes to Issue 22?
25 Hearing none, Issue 23. Issues 24 and 25 are subsumed within

1 Issue 19. Issue 26 is resolved. Issue 27.

2 MS. KAUFMAN: Commissioner, Issue 27 is another
3 quotation mark issue. The second paragraph that has the
4 underlining in it should be in quotes.

5 COMMISSIONER DEASON: That entire paragraph should be
6 in quotes?

7 MS. KAUFMAN: Yes, sir.

8 COMMISSIONER DEASON: Very well. That change will be
9 made. Any other changes to Issue 27? Hearing none, Issue 28,
10 resolved. Issue 29, resolved. Issue 30. Issue 31, resolved.
11 Issue 32. Issue 33. Issue 34. Issue 35. Issue 36. Issue
12 37. Issue 38. Issues 39 and 40, resolved.

13 MS. KAUFMAN: Commissioner, there is a little bit of
14 confusion on Issue 39.

15 COMMISSIONER DEASON: Okay.

16 MS. KAUFMAN: At this point I do not believe that it
17 is resolved, though the parties are hopeful that it will be and
18 they continue to meet about all the outstanding issues. So I
19 would ask that we be permitted to submit our revised position
20 on Issue 39 unless it gets resolved before I have to do that.

21 COMMISSIONER DEASON: Mr. Panner, what is your
22 understanding on Issue 39?

23 (Inaudible.)

24 COMMISSIONER DEASON: I'm sorry, Mr. Panner, we had a
25 momentary loss of your telephone transmission. If you could

1 begin your answer again, please.

2 MR. ANGSTREICH: Yes, Commissioner. This is actually
3 Scott Angstreich speaking. Verizon had submitted a statement
4 of position on Issue 39, and we would not object to Covad being
5 permitted to submit a position on that issue. We are hopeful
6 that the issue will be resolved in the near future.

7 COMMISSIONER DEASON: Very well. Staff, we can then
8 reinsert Issue 39.

9 MR. FORDHAM: I will reinsert the positions of both
10 parties on 39.

11 COMMISSIONER DEASON: Very well.

12 MS. KAUFMAN: Mr. Fordham, Commissioner, I think I
13 will have provide you our position because I think we were the
14 ones that said that it was resolved and unfortunately created
15 the confusion. So if that is all right, I will --

16 TELEPHONIC SPEAKER: We will have that to you by
17 e-mail in the next hour.

18 COMMISSIONER DEASON: Very well. Issue 40, resolved.
19 Issue 41. Issue 42. Issue 43. Issue 44. Issue 45. Issue
20 46. Issue 47. Issue 48. Issues 49 and 50, resolved. Issue
21 51. Issue 52. And Issues 53, 54, and 55, resolved.

22 MR. PANNER: Your Honor, this is Aaron Panner. Sorry
23 to allow it to go by, but Issue 48 I believe has been resolved.

24 COMMISSIONER DEASON: Okay. We will go back to Issue
25 48. Ms. Kaufman, what is your understanding on Issue 48?

1 MS. KAUFMAN: I think I have to ask Mr. Hansel what
2 his understanding is.

3 COMMISSIONER DEASON: Mr. Hansel, what is your
4 understanding of Issue 48?

5 MR. HANSEL: Yes. Issue 48, Covad agrees that Issue
6 48 has been resolved.

7 COMMISSIONER DEASON: Very well. So there is no need
8 to include it as an issue, it is resolved.

9 MS. KAUFMAN: Right.

10 COMMISSIONER DEASON: Staff will make that change.

11 MR. FORDHAM: Thank you.

12 COMMISSIONER DEASON: Are there any other issues we
13 need to revert back to at this time?

14 MS. KAUFMAN: No, sir.

15 COMMISSIONER DEASON: Very well. Exhibit list,
16 Section IX. We really do not have an exhibit list. Mr.
17 Fordham, is this going to be -- how are we going to address
18 this?

19 MR. FORDHAM: Commissioner, I think we will have to
20 go ahead and identify the exhibits like the transcripts, but we
21 have not done so. We got that package just Friday afternoon,
22 but we will have to identify those and have one of the parties
23 introduce them, of course. And since it is a mutual hearing,
24 either party, I suppose, could introduce them. But we just
25 don't have those identified at this point. Also, if Staff

1 should take depositions, we would need to number those. But that is
2 somewhat tentative, so I would --

3 COMMISSIONER DEASON: Let me ask this: The prefiled
4 testimony do not have exhibits attached thereto?

5 MR. FORDHAM: I'm not aware of any exhibits,
6 Commissioner.

7 MS. KAUFMAN: COVAD's testimony has no exhibits.

8 MR. PANNER: Verizon's testimony doesn't either.

9 COMMISSIONER DEASON: Very well. Well, Mr. Fordham,
10 you can go ahead and show the transcripts, and if Staff is
11 intending to -- at the point that you issue the prehearing
12 order, if you are aware of any exhibits, please list them. If
13 we need to identify later exhibits at the time that we convene
14 to enter everything into the record, we will address that at
15 that time.

16 MR. FORDHAM: Very good. Thank you.

17 COMMISSIONER DEASON: Section X, proposed
18 stipulations. Mr. Fordham, you may need to make some changes
19 consistent with the discussion of the issues today.

20 MR. FORDHAM: I will adjust those Commissioner, yes.

21 COMMISSIONER DEASON: Any other proposed stipulations
22 we need to address?

23 MR. FORDHAM: None that Staff is aware of.

24 COMMISSIONER DEASON: Very well. Section XI, pending
25 motions. There are no motions pending at this time, that is

1 our understanding. Are the parties aware of any pending
2 motions?

3 MS. KAUFMAN: I am not. Covad has no motions
4 pending.

5 COMMISSIONER DEASON: Verizon?

6 MR. PANNER: No, Your Honor, we have none.

7 COMMISSIONER DEASON: Very well. And likewise, there
8 are no confidentiality matters pending. Section XIII,
9 decisions that may impact Commission's resolution of issues.
10 We have a position statement by Covad and Verizon. Are there
11 any changes or corrections to those?

12 MS. KAUFMAN: Commissioner, yes. Covad has some
13 additional authority. This section has kind of been the
14 subject of discussion in some other prehearings as to exactly
15 what the Commission is looking for here, whether it is just
16 decisions that might preempt the Commission, or whether it is
17 decisions that support the party's position. At any rate, we
18 have some additional authority that we would like to include,
19 and I brought that as well as the disks so that it can be
20 inserted into the prehearing order.

21 COMMISSIONER DEASON: Well, perhaps Staff counsel can
22 help me here, but just speaking as one Commissioner, the way I
23 have always envisioned this is that this was intended to help
24 Commissioners understand what pending issues out there may have
25 the effect of preempting or substantially altering the

1 landscape in which our decisions are made, not necessarily a
2 listing of all decisions which support a particular parties
3 position. I think that is more a place for briefs and things
4 of that nature. Mr. Fordham?

5 MR. FORDHAM: That is also Staff's understanding,
6 Commissioner. This came up first -- I think when we first
7 implemented this section was probably about two years ago when
8 we had a lot of in the middle type of things that were not even
9 published yet that were produced at hearing. And so we are
10 mostly, I think, looking for things that we might not be
11 commonly aware of because of their newness or something of that
12 type.

13 COMMISSIONER DEASON: And perhaps we need to be a
14 little more precise to the parties in what we're looking for in
15 this particular section. Ms. Kaufman, I understand that
16 perhaps in response to the extensive list provided by Verizon
17 you felt compelled to provide your own. I would just -- and I
18 would certainly allow you to do that, realizing that is really
19 not the intent here. I would just ask that you confer with
20 Verizon counsel and see if you can reach an agreement. If you
21 feel compelled to have a long listing of supporting authority,
22 so be it, but that is really not the intent of this particular
23 section. And I think a listing of this nature is perhaps
24 really not necessary or helpful to the Commissioners in the
25 prehearing order, but is better preserved for a brief. And

1 having said that, I will allow you to confer with Verizon, and
2 as I indicated, if either party feels compelled to have this
3 list, so be it. I don't think it is contrary to anything, but
4 it is really not the intended reason for this particular
5 section.

6 MS. KAUFMAN: I understand, Commissioner. And the
7 list that we have compiled is more along the nature -- which I
8 don't want to speak for Verizon, but I think what they have
9 done as well is cases and decisions that support their view of
10 certain issues. And so I don't know if I would say we felt
11 compelled, but we thought perhaps we should provide authority
12 that we believe supports our position. And that is what I have
13 done. And I will, with your permission, give that to Mr.
14 Fordham, but try to discuss with counsel for Verizon whether we
15 can narrow the list.

16 COMMISSIONER DEASON: Please do so. Section XIV,
17 rulings. The only one there is concerning opening statements,
18 and I believe we have indicated that -- let me ask again. I
19 had another prehearing this morning, so perhaps I'm getting the
20 two confused. Do the parties anticipate opening statements?

21 MR. FORDHAM: We do not.

22 COMMISSIONER DEASON: Do not. Okay. No opening
23 statements, so we can delete that reference there to the
24 opening statements. That is the last section of the draft
25 prehearing order. Let me ask if there are any final matters

1 which need to be brought to my attention. Ms. Kaufman?

2 MS. KAUFMAN: No, sir.

3 COMMISSIONER DEASON: Mr. Panner, do you have any
4 other matters before we conclude today's prehearing conference?

5 MR. PANNER: No, Your Honor.

6 COMMISSIONER DEASON: Very well. Staff, anything
7 further?

8 MR. FORDHAM: Commissioner, I am assuming that we
9 will want a telephone hook-up for the hearing date. Some of
10 the appearances will be telephonic, is that correct, sir?

11 COMMISSIONER DEASON: I would assume that is to be
12 the case. Ms. Kaufman, I assume you can be here in person. Is
13 that correct?

14 MS. KAUFMAN: I feel like I should be here.

15 COMMISSIONER DEASON: It's nice to have at least one
16 face to look at.

17 MS. KAUFMAN: With co-counsel's permission I will be
18 here, but I think it is correct that the Covad attorneys would
19 probably perhaps prefer to appear by phone.

20 COMMISSIONER DEASON: And the Verizon attorneys will
21 be making appearance by telephone, is that correct?

22 MR. PANNER: If that is possible, Your Honor, yes,
23 although it is likely that we would have someone from Verizon
24 present to assist with handing things out and so forth.

25 COMMISSIONER DEASON: Very well. Well, they

1 certainly will be welcome and we would appreciate that. But we
2 certainly want to make it convenient and cost-effective for
3 your participation. We understand that costs are a concern to
4 all participants. Anything further. Hearing nothing, thank
5 you all. This prehearing conference is concluded.

6 (The hearing concluded at 2:01 p.m.)
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STATE OF FLORIDA)

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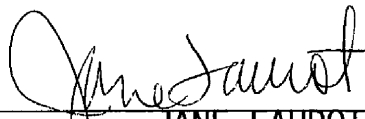
COUNTY OF LEON)

I, JANE FAUROT, RPR, Chief, Office of Hearing Reporter Services, FPSC Division of Commission Clerk and Administrative Services, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

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

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

DATED THIS 22nd day of April, 2003.



JANE FAUROT, RPR
Chief, Office of Hearing Reporter Services
FPSC Division of Commission Clerk and
Administrative Services
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