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Public Service Commission

April 30, 2003

Jon C. Moyle, Jr., Esq.  
Moyle Flanigan Katz Raymond & Sheehan P.A.  
The Perkins House  
118 North Gadsden Street  
Tallahassee, Florida 32301

**Re: Supreme Court Case No. SC03-0066, CPV Gulfcoast, Ltd. v. Lila A. Jaber, Chairman, et al. (Dockets 020262-EI and 020263-EI)**

Dear Mr. Moyle:

Thank you for your letter of April 24, which attached a listing of documents you asked be included in this record being prepared for filing in the Florida Supreme Court. As I discussed with Cathy Sellers of your firm, the documents you listed were handled in the following fashion:

CPV Gulfcoast's answer to FPL's first set of interrogatories, No. 1 - Because this discovery was not entered in the record at the hearing, I was unable to include it in the record. I did however include a copy of the notice of service (Document No. 08611-02).

Michael Caldwell letter to Lila Jaber, attachment to Egan's direct testimony - Though Mr. Egan did not testify at the hearing, Ms. Sellers pointed out that witness Finnerty adopted Mr. Egan's testimony and exhibits at the hearing; thus the attachment is already in the record as a hearing exhibit.

Notice of deposition filed by FPL for Mike Green - This document, No. 09728-02, was included in the record.

Notice of deposition filed by FPL for Michael Caldwell - This document, No. 09660-02, was included in the record.

FPL's answer to CPV's first set of interrogatories, Nos. 31 and 32 - Like CPV's answer above, this material was not made a part of the record at hearing and thus could not be included. I did place a copy of the notice of service (DN 08358-02) in the record however.

Trial subpoena for Michael Caldwell - We do not have a copy of this document and thus could not include it.

DOCUMENT IMPROVED DATE

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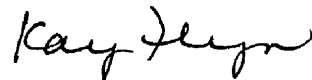
Trial subpoena for Mike Green - A copy of this document (No. 10203-02) was included in the record.

FPL's motion in limine to exclude CPV witnesses; CPV's response; PSC's order granting motion; FPL's motion to quash subpoena of Paul Evanson with attachments; CPV's response - These documents are already in the record at pages 2808, 2894, 3348, 3779, and 3828, respectively.

Deposition testimony of Mike Green - Like the answers to interrogatories, this discovery was not entered in the record at the hearing and thus could not be included.

I trust this addresses any concerns you had with the contents of the record. If you have any further questions on the matter, feel free to call.

Sincerely,



Kay Flynn, Chief  
Bureau of Records and Hearing Services

Enclosure

cc: Richard Bellak, Esq.  
Charles Guyton, Esq.