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DIVISION OF ECONOMIC REGULATION
(850) 413-6900

Public Service Commission

July 18, 2003

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Mr. Marc D. Mazo
14252 Puffin Court
Clearwater, FL 33762

Re: Docket No. 030557-EU - Petition for emergency variance from or waiver of individual metering requirement of Rule 25-6.049(5)(a), F.A.C., by TL Fontainebleau Tower Limited Partnership, d/b/a Fontainebleau II.

Dear Mr. Mazo:

By this letter, the Commission staff requests responses to the following data requests:

1. On page 8 of the petition, petitioner indicates that they anticipate 100% participation in the rental pool, with all units being dedicated to use for transient rentals by Hilton Hotel Corporation. Has the petitioner had similar experience with projects in the past that would support this expectation?
2. On page 4 of the petition, petitioner states as a result of recent communications with counsel for Florida Power and Light Company (FPL), it was determined that FPL would not agree with continued construction of TL Fontainebleau Tower Limited Partnership, d/b/a Fontainebleau II (Fontainebleau II) with master metering without the Fontainebleau II first obtaining a variance or waiver from the Florida Public Service Commission. On what specific date or dates, and between whom, did these communications occur?
3. Was the Fontainebleau II aware, prior to the communications cited above, that as a condominium, the project was required under Commission rules to be individually metered absent a rule waiver?
4. In the Fontainebleau II's discussions with FPL beginning in 2001 regarding the electrical requirements of the project, was there any specific discussion of how the individual occupancy units would be metered (i.e., individual versus master metering)?

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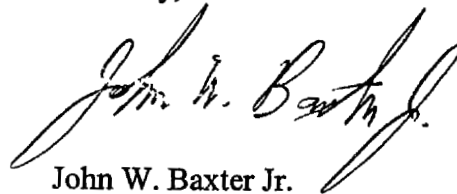
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5. On what date did construction of the project commence?
6. What is the current estimated completion date of the project?

Please provide responses by July 30, 2003. If you have any questions, please do not hesitate to contact me at (850) 413-6218.

Sincerely,



John W. Baxter Jr.
Division of Economic Regulation

JWB:kb

cc: Administrative Procedures Committee
Division of the Commission Clerk and Administrative Services
Division of Economic Regulation (Wheeler)