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Steel Hector & Davis LLP  
200 South Biscayne Boulevard  
Suite 4000  
Miami, FL 33131-2398  
305.577.7000  
305.577.7001 Fax  
www.steelhector.com

John T. Butler  
305.577.2939  
jbutler@steelhector.com

July 21, 2003

**-VIA FEDERAL EXPRESS-**

Kay Flynn  
Chief, Bureau of Records and Hearing Services,  
Division of Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

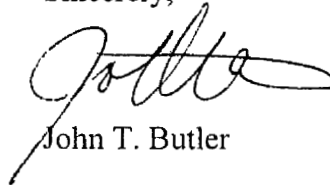
**Re: Supreme Court Case No. SC03-932 (FPSC Docket No. 010908-EI)**

Dear Ms. Flynn:

I am writing in response to your June 24, 2003 letter to Jose Gutman, which transmitted a proposed index to the record on appeal for the above case. With one exception, Florida Power & Light Company ("FPL") concurs that the index is complete. The exception is that FPL believes Harold McLean's April 5, 2002 letter should be included in the appellate record. Both the my April 25, 2002 letter and appellant's May 1, 2002 letter (pages 40 and 42 of the record, respectively) are responses to Mr. McLean's letter. The Court will be better able to understand the context of those two letters if the letter to which they are responding is included in the record as well.

Thank you for your consideration of this request. Of course, if you have any questions, please feel free to contact me at 305-577-2939.

Sincerely,

  
John T. Butler

cc: Jose Gutman, Esq.  
Marlene Stern, Esq.

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*cc to Kay*  
*cc to Marquente.*

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