

ORIGINAL

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February 23, 2004

**BY REGULAR MAIL**

Ms. Blanca Bayó, Director  
The Commission Clerk and Administrative Services  
Room 110, Easley Building  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

RECEIVED-FPSC  
04 MAR 16 AM 10:06  
COMMISSION  
CLERK

Re: Docket No.: 040064-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Digital Network, Inc. ("FDN") in the above-referenced docket is a Request for Naming of Qualified Representative of Florida Digital Network, Inc.

Please date stamp and return a copy of this filing in the enclosed envelope. Should you have any questions concerning this filing, please do not hesitate to call me on 202-295-8458.

Respectfully submitted,

RECEIVED & FILED  
*on*  
FPSC-BUREAU OF RECORDS

*Denelle M. Dixon*  
Denelle M. Dixon, Legal Secretary to  
Michael C. Sloan

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Enclosures

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**ORIGINAL**

**FLORIDA PUBLIC SERVICE COMMISSION**

In re: Request for Naming of Qualified Representative ) Docket No.: 040064-TP  
 ) Filed: February 19, 2004

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**Request for Naming of Qualified  
Representative**

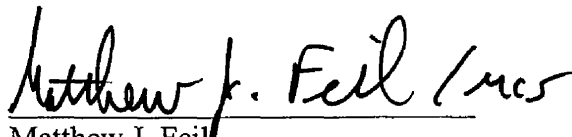
Pursuant to Rule 28-106.107, Florida Administrative Code, Florida Digital Network Inc. ("FDN") requests that Michael C. Sloan, an Associate with the Swidler Berlin Shereff Friedman law firm in Washington, D.C., be named a qualified representative of FDN in all docketed and nondocketed matters opened during the next twelve months. Mr. Sloan has represented FDN in numerous proceedings before the Commission during the past four years.

Attached hereto is a sworn affidavit setting forth Mr. Sloan's qualifications. Mr. Sloan is located at 3000 K Street, N.W., Suite 300, Washington, DC 20007, telephone number (202) 424-7500.

WHEREFORE, FDN requests that the Florida Public Service Commission grant this request.

Respectfully submitted this 19<sup>th</sup> day of February 2004.

Florida Digital Network, Inc.



Matthew J. Feil  
General Counsel, Florida Digital Network, Inc.

DOCUMENT NUMBER-DATE

03519 MAR 16 2004

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE**  
**Docket No. 040064-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via First Class S. Mail this 19<sup>th</sup> day of Feb., 2004 to the following:

Beth Keating  
General Counsel  
Florida Public Service  
Commission  
Division of Legal Services  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Richard Nielson  
General Counsel  
Florida Public Service  
Commission  
Division of Legal Services  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

  
\_\_\_\_\_  
Denelle Dixon

AFFIDAVIT


Undersigned counsel, being first duly sworn, states that:

Undersigned counsel is currently employed by Swidler Berlin Shereff Friedman, LLP at the following address and telephone number below:

3000 K Street, NW Suite 3000  
Washington, DC 20007  
(202) 295-8458

Undersigned counsel possesses the necessary qualifications to responsibly represent FDN's interests in all docketed and nondocketed matters before the Florida Public Service Commission.

Undersigned counsel is an attorney admitted to practice, and a member in good standing of Washington, DC, Bar No. 457265; has practiced extensively before this and other utility regulatory agencies or authorities; has knowledge of the Florida Statutes relative to the Commission's jurisdiction; has knowledge of the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding; has knowledge of the Florida Administrative Code and Florida Statutes relative to the rules of evidence, including the concept of hearsay in an administrative proceeding; has acquired or will acquire knowledge of the factual and legal issues in these matters; and has knowledge of and compliance with the Standards of Conduct for Qualified Representatives contained in Rule 28-106,107 of the Florida Administrative Code.

  
\_\_\_\_\_

Affirmed and subscribed before me this 18<sup>th</sup> day of February, 2004.

  
\_\_\_\_\_  
Notary Public

My Commission Expires June 30, 2007