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March 10, 2016

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VIA ECFS AND E-MAIL

Christopher Killion, Division Chief
Federal Communications Commission
Enforcement Bureau
Market Disputes Resolution Division
445 12th Street SW
Washington, DC 20554

Re: *Verizon Florida LLC v. Florida Power and Light Company*,
Docket No. 15-73, File No. EB-15-MD-002, Related to Docket No. 14-216,
File No. EB-14-MD-003

Dear Mr. Killion:

The Florida state court issued the enclosed Order today staying FPL's second state court proceeding involving 2013 and 2014 rentals until June 9, 2016 to give the Commission time to "address the issue of whether the contract rate is fair and reasonable" under federal law.

Best regards,

Christopher S. Huther

Enclosure

cc: Lisa Griffin, Deputy Division Chief
Rosemary McEnery, Deputy Division Chief
Lia Royle, Commission Counsel
Charles A. Zdebski, Esquire
Maria Jose Moncada, Esquire
Alvin B. Davis, Esquire

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN
AND FOR MIAMI-DADE COUNTY,
FLORIDA

FLORIDA POWER & LIGHT CO.,

Complex Business Litigation Division
Case No. CA 15-24288 40

Plaintiffs,

vs.

VERIZON FLORIDA LLC

ORDER ON MOTION TO DISMISS OR
STAY

Defendants

THIS MATTER came before the Court on Defendant's above motion, and the Court having reviewed the file, the motion and memoranda, and being otherwise fully advised in the premises, it is

ORDERED and **ADJUDGED** as follows:

Having fully reviewed the materials submitted, being fully familiar with the preceding case which resulted in a summary judgment grant in favor of Florida Power & Light, and the succeeding notice of appeal (3D15-2766) which was filed on December 7, 2015, together with the still pending administrative proceeding before the FCC which will address the issue of whether the contract rate is fair and reasonable, the Court **DENIES** the motion to dismiss but **GRANTS** a stay until June 9, 2016 in the hope that the Appellate Court or Administrative body rules relatively soon. Failing therein, the Defendant shall file its answer on June 9, 2016, the parties shall proceed with discovery and a Case Management Conference is hereby scheduled for June 13, 2016 at 11 a.m. Any currently scheduled hearings are hereby canceled.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, on 03/10/16.



JOHN W. THORNTON
CIRCUIT COURT JUDGE

**No Further Judicial Action Required on THIS
MOTION
CLERK TO RECLOSE CASE IF POST
JUDGMENT**

The parties served with this Order are indicated in the accompanying 11th Circuit email confirmation which includes all emails provided by the submitter. The movant shall IMMEDIATELY serve a true and correct copy of this Order, by mail, facsimile, email or hand-delivery, to all parties/counsel of record for whom service is not indicated by the accompanying 11th Circuit confirmation, and file proof of service with the Clerk of Court.

Signed and stamped original Order sent to court file by Judge Thornton's staff.

cc: Counsel / Parties of record

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