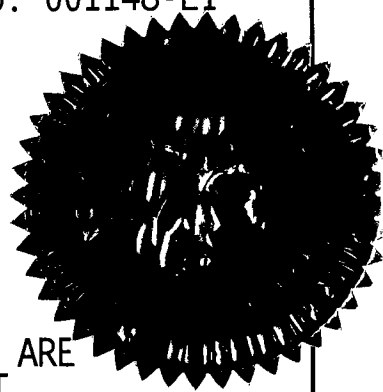


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 001148-EI

In the Matter of

REVIEW OF THE RETAIL RATES
OF FLORIDA POWER & LIGHT
COMPANY.



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A CONVENIENCE COPY ONLY AND ARE NOT
THE OFFICIAL TRANSCRIPT OF THE HEARING,
THE .PDF VERSION INCLUDES PREFILED TESTIMONY.

PROCEEDINGS: FORT LAUDERDALE, FLORIDA SERVICE HEARING

BEFORE: CHAIRMAN E. LEON JACOBS, JR.
COMMISSIONER J. TERRY DEASON
COMMISSIONER LILA A. JABER
COMMISSIONER BRAULIO L. BAEZ
COMMISSIONER MICHAEL A. PALECKI

DATE: Thursday, December 13, 2001

TIME: Commenced at 6:00 p.m.
Concluded 6:22 p.m.

PLACE: Broward County School Board
Board Room
600 S. E. 3rd Avenue
Fort Lauderdale, Florida

REPORTED BY: JANE FAUROT, RPR
Chief, Office of Hearing Reporter Services
FPSC Division of Commission Clerk and
Administrative Services
(850) 413-6732

DOCUMENT NUMBER - DATE

16102 DEC27

FPSC-COMMISSION CLERK

1 APPEARANCES:

2 KENNETH A. HOFFMAN, Rutledge, Ecenia,
3 Purnell & Hoffman, 215 S. Monroe Street, Suite 420,
4 Tallahassee, Florida 32301 and BILL HAMILTON, Vice
5 President of Customer Service, appearing on behalf
6 of Florida Power & Light Company.

7 ROGER HOWE, Office of Public Counsel, c/o
8 The Florida Legislature, 111 W. Madison Street,
9 Suite 812, Tallahassee, Florida 32399, appearing on
10 behalf of the Citizens of the State of Florida.

11 LINDA DODSON, FPSC Division of Legal Services, 2540
12 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850,
13 appearing on behalf of the Commission Staff.

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PAGE NO.

Opening Statement by Mr. Hoffman	8
Opening Statement by Mr. Hamilton	8
Opening Statement by Mr. Howe	11

WITNESSES

NAME: PAGE NO.

DOUGLAS EVERETT	
Direct Statement	12
LORI VUN KANNON	
Direct Statement	16

EXHIBITS

1
2
3
4
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ADMTD.

5 Notice of Hearing and Proof of
Publication

18

CERTIFICATE OF REPORTER

20

P R O C E E D I N G S

1
2 CHAIRMAN JACOBS: Good evening. My name is Leon
3 Jacobs. I am Chairman of the Florida Public Service
4 Commission. Let me welcome you to our hearing this evening.
5 Let me introduce also my colleagues who are here at the rostrum
6 with me. To my far left is Commissioner Michael Palecki. To
7 my immediate left is Commissioner Lila Jaber. To my immediate
8 right is Commissioner Terry Deason. To my far right is
9 Commissioner Braulio Baez. And we will start by having counsel
10 read the notice.

11 MS. DODSON: Notice issued by the Clerk of the
12 Florida Public Service Commission on November 5th, 2001,
13 advises that a customer service hearing will be held in this
14 docket beginning at 6:00 p.m., Thursday, December 13, 2001, at
15 the Broward County School Board Board Room, Fort Lauderdale,
16 Florida. The notice states that the purpose of this hearing is
17 to take testimony from members of the public concerning the
18 rates and charges of Florida Power and Light Company.

19 The procedure in this hearing will be as follows:
20 The company will present a brief summary of its case and then
21 members of the public may present testimony. Members of the
22 public who wish to present testimony are urged to appear
23 promptly at each scheduled service hearing, since the hearing
24 may be adjourned early if no witnesses are present to testify.

25 CHAIRMAN JACOBS: Thank you. We will take

1 appearances.

2 MR. HOFFMAN: Thank you, Mr. Chairman. Good evening.
3 My name is Kenneth Hoffman. I'm with the law firm of Rutledge,
4 Ecenia, Purnell & Hoffman in Tallahassee, Florida, appearing on
5 behalf of Florida Power and Light Company. I would also like
6 to introduce to my immediate left, Mr. Bill Hamilton, who is
7 Vice President for Customer Service for FPL.

8 MR. HOWE: I'm Roger Howe with the Public Counsel's
9 Office in Tallahassee appearing on behalf of the customers and
10 ratepayers of Florida Power and Light Company.

11 MS. DODSON: I'm Linda Dodson with the staff of the
12 Public Service Commission. And with me on my left is Elizabeth
13 Draper. And in the audience there are also two other members
14 of the staff, David Lee and Clinton Williams.

15 CHAIRMAN JACOBS: Thank you. Let me also announce
16 that there are several other members of the Public Service
17 Commission staff who are with us; Ms. Thelma Crump,
18 Ms. Bridget Hoyle, and Ms. Connie Moses. Sandy, I'm sorry.
19 Sandy Moses. I know I saw her, she is here. There she is.

20 We are here this evening as a part of our on-going
21 decision to review the rates of Florida Power and Light
22 Corporation. This is a formal proceeding, and this is a very
23 important part of that. This is the opportunity for the
24 public, consuming public to come in and give us their
25 experiences with the company. In particular we are interested

1 in your experiences with the level of the quality of service
2 that the company has rendered. Your statements to us this
3 evening will become a part of the formal record that will be
4 the basis of our ultimate decision. And in that regard we will
5 ask you to commit to -- submit to an oath that I will issue in
6 a few moments.

7 Also, if you would not like to come forward and give
8 a verbal statement this evening, you should receive a blue
9 report when you came in this evening, and on the next to the
10 last page of that report is a form on which you can submit
11 written comments that will become a part of our record. That
12 also will be a basis for our decision. We have had several
13 days of public hearings around Florida Power and Light's
14 territory, this being the last of those hearings.

15 And after this customer hearing, we will then have a
16 technical hearing in Tallahassee. At that time we will have
17 experts in various disciplines who will come and give us
18 insight and opinion on the operations of the company. We will
19 then render a final decision on May 31st, 2002. That is a
20 revision from the date that is in the report which shows 2001.
21 That will occur in Tallahassee.

22 To facilitate your testimony, we would like for you
23 to come forward to one of the rostrums tonight and give us your
24 name and address, if you would, if you don't mind. Because,
25 again, this is an official record and we have a court reporter

1 here. We would very much appreciate it if we only have one
2 person speaking at a time so we can keep the record clear.

3 Before we begin in taking your statements, we are
4 going to allow the parties to give opening statements this
5 evening, and we will begin that with the company. Mr. Hoffman.

6 MR. HOFFMAN: Thank you, Mr. Chairman. Let me begin
7 as I have in the prior hearings by thanking those customers who
8 took the time to attend the hearing this evening. And I want
9 to advise them that the company has a number of customer
10 service representatives who are here tonight to assist you with
11 any customer service issues or quality of service issues that
12 you would like to have addressed by the company.

13 And specifically I want to point our customers to two
14 individuals who are on the right section of the seats. First,
15 let me point to Ms. Carol Harzinski, who is with Customer
16 Service, and I would also like to ask Ramon Ferrer with Power
17 Systems to stand up. And I would ask our customers to seek
18 them out, as they will be eager to assist with any customer
19 service issues that you would like to have addressed.

20 And having said that, I will again turn it over to
21 Bill Hamilton, who is Vice President for Customer Service for
22 FPL to provide our opening remarks.

23 MR. HAMILTON: Thank you, and good evening. My name
24 is Bill Hamilton and I am Vice President of Florida Power and
25 Light Company, Vice President of Customer Service for Florida

1 Power and Light Company, and I'm pleased to be here and take
2 part in this important aspect of the review of our base rates
3 by the Florida Public Service Commission.

4 Let me begin by pointing out that FPL is not asking
5 for an increase in its base rates at this time, despite the
6 weakening Florida economy, and the continuing need to expand
7 our facilities to meet customer growth, and the increase that
8 we have seen in operational expenses in several parts of the
9 company. In fact, since our last base rate increase in 1985,
10 we have actually decreased our base rates by 10 percent while
11 adding approximately 1.3 million customers throughout our
12 service territory. This required additional resources in many
13 areas of the company, but I think most importantly we have
14 increased our generating capacity by 42 percent during this
15 time.

16 We are currently operating under a rate agreement
17 that was negotiated with Mr. Jack Shreve and the Office of the
18 Public Counsel and then approved by the Florida Public Service
19 Commission. That was a three-year agreement that called for
20 the reduction in our base rates of \$350 million on an annual
21 basis and provided a mechanism for customer refunds on an
22 annual basis. Through the first two years of this agreement we
23 have refunded to customers approximately \$128 million, and we
24 anticipate a sizeable increase again in this, the third of the
25 three-year agreement.

1 In recent years we have focused on improving the
2 quality and reliability of service to our customers, and
3 overall we have reduced the number of minutes that the average
4 customer is without service for a year by almost 50 percent.
5 That is not to say that we are 100 percent satisfied with how
6 we are doing. So we are committed to you, our customers, to
7 continue to look for new, creative and different ways to
8 improve service to all of our customers.

9 We have also worked hard to make it easier for
10 customers to do business with us by providing the ability to do
11 business over the Internet, by providing additional payment and
12 billing options, and providing programs that allow customers to
13 save money and to conserve energy.

14 As Mr. Hoffman pointed out, we do have customer
15 service representatives here tonight that we have asked to
16 stand. If you have a question, or a concern, or an issue, we
17 are committed to try to resolve that issue on the spot. In any
18 case, if we cannot to do it, we are committed to provide you
19 with a response within 24 hours.

20 I also recognize there may be some customers here
21 that don't wish to speak. If you have -- likewise, if you have
22 an issue, we would be pleased to try to help you resolve that
23 issue, as well.

24 In closing, let me assure you that FPL is committed
25 to providing our customers with reliable service at low prices

1 well into the future. Let me thank you for your attention and
2 for the opportunity to speak with you here tonight. Thank you.

3 CHAIRMAN JACOBS: Thank you. Mr. Howe.

4 MR. HOWE: Thank you, Chairman Jacobs. My name is
5 Roger Howe. I'm an attorney with the Office of Public Counsel
6 in Tallahassee. I work for a gentleman, Mr. Jack Shreve, who
7 is the Public Counsel for the State of Florida.

8 Our office is a statutory office. Mr. Shreve is
9 appointed by a joint committee of the Florida Legislature. We
10 are independent of the Public Service Commission, and it is our
11 charge to advocate on the customers' behalf in matters related
12 to the jurisdiction of the Public Service Commission.

13 In that regard, we have intervened in this docket.
14 We are engaged in the discovery process, and we have hired
15 experts, or are in the process of hiring experts who will
16 provide the customers' case in the formal hearings in
17 Tallahassee that Chairman Jacobs described.

18 We can be reached if anybody wants to give a call, we
19 have a 1-800 number, it is 1-800-342-0222. I would welcome
20 anybody to give us a call if you have any questions at all
21 about our role in this case, or our job in general, and how we
22 go about representing you. Thank you very much.

23 CHAIRMAN JACOBS: Thank you. I would like to ask now
24 all of those who have come to give us their statements this
25 evening to stand and raise your right hand.

1 (Witnesses collectively sworn.)

2 CHAIRMAN JACOBS: Thank you very much. You may be
3 seated. Mr. Howe will call you up to the rostrum.

4 MR. HOWE: Chairman Jacobs, we would first call
5 Mr. Douglas Everett.

6 DOUGLAS EVERETT

7 was called as a witness on behalf of the Citizens of the State
8 of Florida and, having been duly sworn, testified as follows:

9 DIRECT STATEMENT

10 MR. EVERETT: Thank you, Mr. Chairman and members of
11 the Commission. My name is Doug Everett. I am President and
12 CEO of the Greater Pompano Beach Chamber of Commerce and the
13 Pompano Economic Group. Before I learned that this Commission
14 was going to be holding these public hearings, recently on
15 behalf of the Pompano Beach Chamber of Commerce, which
16 represents a little over a thousand businesses in our
17 community, had written a letter to our local news media. I
18 would like to also share that with you and members of the
19 Commission here this evening. It's dated November the 7th, and
20 at the conclusion of me reading these comments, I would like to
21 add some additional.

22 The letter reads: Many of us find it very easy to
23 complain and condemn when a business doesn't satisfy our
24 desires for product, service, price, or community
25 participation. I would like to commend one of our more

1 prominent businesses, which also happens to be a public
2 utility, Florida Power and Light. Unlike many other types of
3 businesses, we don't have a choice as consumers when we buy the
4 products and services of Florida Power and Light which it
5 provides us. Even so, they provide us that product and service
6 at a very attractive price compared to other parts of our
7 country.

8 My reason for wanting to say thank you to Florida
9 Power and Light management and staff is because of additional
10 community involvement and participation beyond product and
11 service. Please let me identify just a few of the projects and
12 issues which I am aware of and their additional commitment to
13 Pompano Beach and North Broward County. One, you can always
14 find them supporting local charity events and special community
15 events. At the business communities request they have
16 constructed a state of the art substation in our business
17 district of Copans and Powerline to support our economic growth
18 while at the same time committing to create an urban
19 environmental landscape enclave to showcase native vegetation
20 in a hammock setting.

21 Three, they have relandscaped and constructed walls
22 around highly visible existing substations on Powerline Road
23 and on McNab Road.

24 Four, they are assisting with the relocation of
25 overhead electrical lines on Atlantic Boulevard. They are

1 working with the city to bury the overhead lines along Blanche
2 Ely Avenue, which leads to one of the top public school
3 facilities in our county, Blanche Ely High School. In
4 conjunction with the Blanche Ely Avenue project and
5 improvements to existing electrical service in the area, FPL
6 will improve landscaping along Northwest 6th Street corridor at
7 the corner of Dixie and Northwest 7th Street. Local citizens
8 may be aware (sic) that FPL is a major contributor to the
9 revenues of our city through their collection of franchise
10 fees.

11 In the eight years that I have had the opportunity of
12 serving the Pompano Beach community, I have witnessed a great
13 partnership between Florida Power and Light and the leadership
14 of the City of Pompano Beach to improve the electrical
15 infrastructure in our city. I want to say thanks to both
16 Florida Power and Light and to our city officials and say keep
17 up the good work of helping to make Pompano Beach a better
18 community for all of us.

19 About five years ago we were in the process of trying
20 to develop a very nice industrial park area that we referred to
21 as Alpha 250, which is about 250 acres of commercial land, and
22 Pompano Beach was in great need of this. We went to the
23 Florida Power and Light people and did a high-tech development
24 that had started at that time and has progressed onward since.
25 We recognized that there was a great demand for what we

1 referred to as multi-feed systems in both telecommunications
2 and in electrical service, because when these high-tech
3 companies go down, when their electrical service is lost, when
4 their communication service is lost, they are out of business
5 and we are talking literally tens of millions of dollars.

6 I am delighted to say to you today that Florida Power
7 and Light worked very closely with us, with our city officials,
8 with the developers of that particular industrial park area and
9 everything around it, and is presently in the process of
10 building a state of the art subdivision -- or substation, I
11 mean, for distribution of power to serve that area multi-feed
12 objective.

13 And as I stated in my letter, look at that substation
14 in the future. You will ride right by it and all you will see
15 is a botanical garden. You won't even be able to see the
16 facility itself because they have gone above and beyond the
17 call of duty in making this a real showcase so that our young
18 people can actually come out and experience the natural
19 vegetation that grows in the State of Florida.

20 And so we are looking forward to not only having a
21 great improvement in our electrical service at a very
22 reasonable rate, but we are also looking at an educational
23 facility and an environmental showplace that we can all be
24 proud of.

25 We are very much supportive of what Florida Power and

1 Light does in our community, and we feel confident that it is
2 not just in our community, but throughout their entire service
3 area. And I'm delighted to be able to come before you and say
4 that we are very much aware of what they do for us and we are
5 very appreciative of what they do for us.

6 Thank you, Mr. Chairman.

7 CHAIRMAN JACOBS: Thank you. Any questions,
8 Commissioners? Thank you.

9 MR. HOWE: We would next call Ms. Lori Vun Kannon.

10 LORI VUN KANNON

11 was called as a witness on behalf of the Citizens of the State
12 of Florida and, having been duly sworn, testified as follows:

13 DIRECT STATEMENT

14 MS. VUN KANNON: Thank you very much. I am very
15 pleased to be here this evening, and I appreciate you
16 pronouncing that correctly. So many people don't.

17 I am here today representing Broward County Emergency
18 Management.

19 MR. HOWE: Excuse me. Could you state your name and
20 address for the record, please.

21 MS. VUN KANNON: Sure. Lori Vun Kannon. My address
22 is 201 Northwest 84th Avenue, Plantation, Florida 33324. I
23 represent today the Broward County Emergency Operation Center
24 and Emergency Management Division.

25 I will be short and brief. I wanted to say -- to

1 express my sincere appreciation as well as staff in
2 representing our municipalities in dealing with emergency
3 situations. We express our gratitude today for the support we
4 have received from Florida Power and Light in the good times
5 and in the bad times. I can tell you they are right there with
6 us, the preparedness, the response, recovery, and the
7 mitigation of any disastrous situation or potential disastrous
8 situations in our county.

9 They have been an active role model for us in
10 developing a business emergency preparedness network and
11 helping develop restoration plans, contingency plans for
12 Broward County, as well as many of our support needs in the
13 communities. And we really want to say that the contingency
14 planning and emergency planning focus of Florida Power and
15 Light has gone a long way and has been very, very supportive
16 for us especially after the Hurricane Andrews days. They have
17 evolved with us.

18 As we have grown to deal with new disaster
19 situations, they are right there with us. On September 11th,
20 helping us, you know, plan for new types of events that we
21 never thought we would have to plan for before. And I'm really
22 just here today to, again, express that gratitude for the
23 contingency planners and the support they provided to us in the
24 emergency operations center and for them to have that
25 availability and to be with us municipalities and our other

1 partners, right there in the operations center.

2 And I am available if there are questions that I need
3 to address regarding their role with us in the emergency
4 contingency plan.

5 CHAIRMAN JACOBS: Are there any questions? Thank
6 you, Ms. Vun Kannon.

7 MR. HOWE: Chairman Jacobs, those are all the
8 individuals that have indicated they wish to speak. Are there
9 any other individuals in the audience who would like to address
10 the Commission?

11 CHAIRMAN JACOBS: Let the record reflect that no one
12 else has given an indication of their intent to speak. We
13 would again like to thank you for coming and giving us your
14 statements. We really depend and rely on the input from
15 consumers, and yours have been helpful.

16 Mr. Hoffman.

17 MR. HOFFMAN: Thank you, Mr. Chairman. Before we
18 close, I would like to ask that the notice of public hearing
19 and the affidavit of publication in the Sun Sentinel be
20 admitted into the record as Composite Exhibit 5.

21 CHAIRMAN JACOBS: Show that marked as Composite
22 Exhibit 5. And without objection show it entered into the
23 record.

24 (Composite Exhibit 5 marked for identification and
25 admitted into the record.)

1 MR. HOFFMAN: Thank you. And, again, it has been a
2 great tour of South Florida, and we welcome your attention to
3 the remainder of our proceedings and for our final decision
4 that will be made in May.

5 If there is nothing else tonight, we are adjourned.

6 (The hearing concluded at 6:22 p.m.)
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STATE OF FLORIDA)
 : CERTIFICATE OF REPORTER
COUNTY OF LEON)

I, JANE FAUROT, RPR, Chief, Office of Hearing Reporter Services, FPSC Division of Commission Clerk and Administrative Services, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

IT IS FURTHER CERTIFIED that I stenographically reported the said proceedings; that the same has been transcribed under my direct supervision; and that this transcript constitutes a true transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED THIS 27th day of December, 2001.

JANE FAUROT, RPR
Chief, Office of Hearing Reporter Services
FPSC Division of Commission Clerk and
Administrative Services
(850) 413-6732

Sun-Sentinel

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF BROWARD

Before the undersigned authority personally appeared MICHAEL S. GAUTHIER who on oath says:

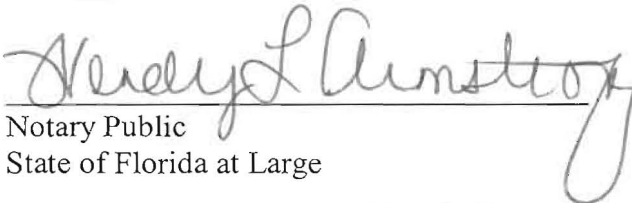
That he is a Sales Coordinator in the Display Advertising Department of the Sun-Sentinel daily newspaper at 200 East Las Olas Boulevard, Fort Lauderdale, Florida;

That, based on the information provided on the Sun-Sentinel ad order entry system, the advertisement for Florida Power & Light was published in the December 6, 2001 issue on page 10 in the Local Section of said newspaper.

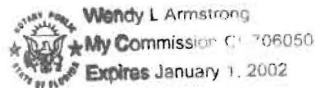
FURTHER AFFIANT SAYETH NAUGHT.


MICHAEL S. GAUTHIER
Sun-Sentinel, Display Advertising Dept.

Sworn to and Subscribed before me
this 7th day of December 7, 2001 A.D.


Notary Public
State of Florida at Large

My Commission Expires 2002



FLORIDA PUBLIC SERVICE COMMISSION
DOCKET
NO. 001148-EI EXHIBIT NO. 1 - Ft. Lauderdale
COMPANY/ Florida Power & Light
WITNESS: 12-13-01
DATE: 12-13-01

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imate-major- p. Irv n, was
 Individuals with 600,000 - more in stocks, bonds, mutual funds and other investments will continue paying the tax, as will couples with more than

Security plans Governor's sanction

Other bills to conceal the cell phone and pager numbers of police officers also failed to make the cut.

Four bills approved Wednesday would tighten access to public information: Emergency security plans for hospitals and state government buildings would be confidential; police requests for records from other agencies in terrorist investigations would be made secret; a compromise measure would conceal the location of drugs stockpiled to counter bioterrorist attacks.

State Reps. Anne Gannon, D-Delray Beach, and John Carrasas, D-Largo, voted against all four public-records bills, saying later the public has a right to information to keep an eye on government. The First Amendment Foundation of Florida supported all four bills.

The American Civil Liberties Union criticized a number of the security proposals, especially an expanded legal definition of terrorists and a "roving wiretapping" bill that would give police authority to listen in on cell phone conversations. It passed 117-1, with Gannon casting the lone no vote.

Bob Mahlbarg can be reached at bmahlburg@orlandosentinel.com or 850-222-5564.

Barry accreditation

RESS
 e American as rejected and possibly accreditation- university's school, the Or-an said in a students.

ol, which is ersity based does not get graduates

will not be permitted to practice law in Florida.

The apparent concern of the ABA accreditation committee, said Dean Stanley Talcott's message, is Barry would have to lower admission standards to compete for students with two new law schools: Florida International University's opens in Miami next year, and Florida A&M University opens its law school soon in Orlando.

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NOTICE OF PUBLIC HEARINGS

The Florida Public Service Commission will hold public hearings as part of its review of Florida Power & Light Company's rates. The purpose of these hearings is to provide customers of Florida Power & Light an opportunity to testify before the Commission on the quality of service by Florida Power & Light. A public hearing in your area will be held at the following time and place:

Thursday, December 13th
 6:00 PM - 9:00 PM
 Broward County School Board
 Board Room
 600 SE 3rd Avenue
 Ft. Lauderdale, FL 33301

Customers who wish to present testimony are urged to appear at the beginning of the hearing, since the hearing may be adjourned early if no witnesses are present to testify.

Written customer comments regarding Florida Power & Light's service or rates should reference Docket No. 001148-EI and be addressed to: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.



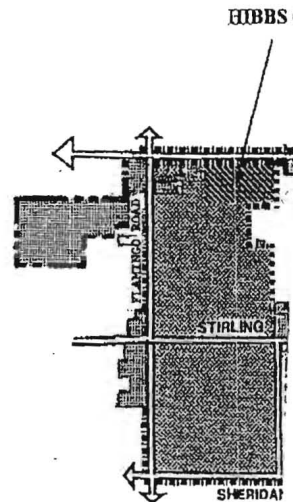
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Town of Sou

PUBLIC NOTICE CITY OF COOPER

NOTICE IS HEREBY
 December 11, 2001,
 practicable, in the au
 Building located at 90
 Cooper City, Florida,
 the City of Cooper
 Hearing, relative to th
 Ordinance P01-22 list
 Proposed Ordinance
 public at City Hall
 hours. Comments of a
 tive to this matter ma
 and/or presented at th

AN ORDINANCE
 COOPER CITY, FLORIDA
 FROM BROWARD COUNTY
 INCORPORATED A-1 (AG
 DISTRICT) TO REZONE
 SINGLE-FAMILY DWELLING
 LANDS: TRACTS 55, 58,
 RIGHT OF WAY, ALONG
 55, 58, 59, 60, 61
 CANAL RIGHT OF WAY
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 ALL IN SECTION 10
 SOUTH, RANGE 40
 LANDS COMPANY
 AS SITUATE, LYING
 BROWARD COUNTY
 PROVIDING FOR A F
 FOR SEVERABILITY
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City of
 Susan E