

THE SUPREME COURT OF FLORIDA

CHARLES J. CRIST, JR., ATTORNEY
GENERAL, STATE OF FLORIDA,
Appellant,

v.

Case No.: SC04-9

LILA A. JABER, etc., et al., Appellees.

HAROLD MCLEAN, PUBLIC COUNSEL,
STATE OF FLORIDA, Appellant,

v.

Case No.: SC04-10

LILA A. JABER, etc., et al., Appellees.

Petition of Verizon Florida Inc. to
Reform its Intrastate Network Access and
Basic Local Telecommunications Rates in
Accordance with Florida Statutes, Section
364.164

AARP, Appellant,

v.

Case No.: SC04-946

LILA A. JABER, etc., et al., Appellees.

OCTOBER 22, 2004
AARP NOTICE OF SUPPLEMENTAL AUTHORITIES
TO MOTION TO RELINQUISH JURISDICTION

Appellant, AARP, pursuant to Rule 9.225, Fla. R. App. P., gives notice of
filing the October 12, 2004 Court Orders of the Supreme Court of the United States

containing the denial of certiorari in *Nat'l. Ass'n of Reg. Utility v. U.S. Telecom Assn., et al.*, 04-12; *AT&T Corp., et al. v. U.S. Telecom Assn. et al.*, 04-15; and *California, et al. v. U.S. Telecom Assn. et al.*, 04-18, October 12, 2004 (Order list: 543 U.S.) and three news articles: (1) Christopher Stern, *MCI to Take \$3.5 Billion Charge in 3rd Quarter*, Washington Post, October 19, 2004, page E03; (2) Christine Nuzum, *Sprint Intends to Write Down Long-Distance Assets, Cut Jobs*, Dow Jones Newswires, October 18, 2004, page B4; and (3) John Seward and Almar Latour, *MCI Plans \$3.5 Billion Charge To Reflect Network-Value Drop*, The Wall Street Journal, October 19, 2004, page B2, as supplemental authorities in support of its Motion To Relinquish Jurisdiction, filed with this Court on September 8, 2004. AARP's Motion seeks temporary relinquishment of jurisdiction of the above-styled cases to the Public Service Commission for the purpose of considering AARP's "Motion for Evidentiary Hearing and Modification of Commission Orders on Basis of Significantly Changed Circumstances and Public Need."

**Identification Of Points Argued In AARP's Motion
To Which Supplemental Authorities Are Pertinent**

1. Due to the fact that AARP's instant Notice of Supplemental Authorities is intended to update the Court on "other authorities" relevant to its Motion to Relinquish Jurisdiction and not a brief, there are no formal "points" to identify to which these supplemental authorities are pertinent. Rather, AARP

would submit that each of the four attached other authorities are pertinent to the underlying purpose expressed to the Court in Paragraph 5 of its Motion to Relinquish Jurisdiction, which states:

5. The basis for the motion is that subsequent events – some very recent – have dramatically changed the bases on which the order on appeal was entered, such that the Public Service Commission should revisit its order, consistent with its duty to respond to changed circumstances as explained in People's Gas System, Inc. v. Mason. Several important events have changed the landscape; these include: a recent federal court decision that has undercut the statutory and regulatory justification given for the rate increases; virtual withdrawal from the local service market by key competitors, such as AT&T, the largest potential local service competitor party to these cases, and, sharp curtailment of local competition by other competitors, including MCI and Sprint. As stated in the motion, "the stated quid pro quo for the large residential local rate increases – the 'benefits of increased competition' – has now largely evaporated." Since the motion is attached, AARP will not reiterate its contents at length.

DATED this _____ day of October, 2004.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I CERTIFY that a true and correct copy of the foregoing has been furnished
by United States mail to the following on this ____ day of October, 2004:

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