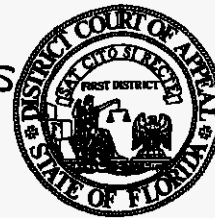


**IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA**

**DOCKETING STATEMENT AND
NOTICE OF APPEARANCE OF COUNSEL**

090478-WS



APPELLANT/PETITIONER: If this case involves an original writ, is an appeal of a non-final order, or is a 'child' case (as defined in paragraph 13 below), this Docketing Statement must be completed and submitted immediately. In all other cases, counsel for the appellants or the appellants, if not represented by counsel, must complete and submit the Docketing Statement within 20 days from the date of the court's acknowledgment notice accepting this case and assigning a case number.

APPELLEE/RESPONDENT (AND AMICUS CURIAE): Are not required to file a Docketing Statement unless there are amendments, corrections, or additions to the Docketing Statement filed by appellant. Appellees and Amici are only required to file the notice of appearance if counsel's name does not already appear on the certificate of service. Appellee's Docketing Statement and notice of appearance are due no later than the answer brief.

Note: Electronic completion and submission of this Docket Statement is required for attorneys in all cases 1D10-x and higher and is encouraged for others registered with eDCA. Electronic completion and submission of the Docketing Statement through eDCA is in lieu of completion and filing with the court of a paper copy. Users who have electronically completed and submitted their Docketing Statement through eDCA are not required or permitted to file a paper version of the docketing statement. As all attorneys in case number 1D10-X and higher are required to electronically complete and submit their Docketing Statement, they should not file a paper version of the docketing statement with the court unless it is accompanied by a motion for hardship exception to this court's Administrative Order 10-1, requiring electronic completion and submission of the Docketing Statement through eDCA.

Service of the Docketing Statement is still required to be made by the filer on the opposing side, either by printing and mailing a copy of this Docketing Statement to all Parties of Record or their attorneys or, if permission has been received from the other side to provide service by electronic means, by providing an electronic copy of the Docketing Statement to all Parties of Record or their attorneys.

PLEASE PROVIDE THE FOLLOWING INFORMATION (ATTACH ADDITIONAL PAGES IF NECESSARY):

1. NAME OF CASE: Hernando County vs. The Florida Public Service Commission DCA CASE NUMBER: 10-1784

2. NOTICE OF APPEARANCE OF COUNSEL.
ATTORNEY FOR (LIST CLIENT BY NAME): Hernando County
ATTORNEY'S PRINTED NAME: Jon Jouben
BAR NO.: 0149561
ADDRESS: 20 North Main Street, Suite 462 Brooksville, FL 34601
PHONE NO.: 353-754-4122
EMAIL ADDRESS: jjouben@co.hernando.fl.us

RECEIVED-FPSC
10 APR 15 PM 1:24
COMMISSION CLERK

Docketing statement of: Appellant/Petitioner

All correspondence and orders will be sent to counsel as specified above unless the court allows withdrawal or substitution of counsel.

3. TYPE OF CASE: Select the most appropriate type of case.
Original Petitions
All others - specify
Petition for Quo Warranto

For items 4-12 you are required to provide the information you have. To enter data, fill in the fields provided (for that item) with the information you have and click 'Add'. The data you provided will be listed in the grid. You may list as many items as necessary. You may also delete items listed by clicking 'Delete'.

4. REAL PARTIES IN INTEREST: List names and addresses of all persons, business entities, and organizations having a direct interest in the outcome of this action.
Hernando County 20 N. Main Street, Suite 462 Brooksville FL 34601 cao@co.hernando.fl.us

5. JUDGES BELOW: List the name and lower tribunal of all judge(s), deputy commissioner(s), master(s), and hearing officer(s)/examiner(s) who were involved in this action below.
NANCY ARGENZIANO, Chairman
LISA POLAK EDGAR
NATHAN A. SKOP
DAVID E. KLEMENT
BEN A. "STEVE" STEVENS III

COM _____
APA _____
ECR _____
GCL _____
RAD _____
SSC _____
ADM _____
OPC _____
CLK Peña

6. ATTORNEYS: List the names and addresses of all attorneys who are, or have been, of record in this case and who they represent.
Jon A. Jouben 20 North Main Street, Suite 462 Brooksville FL 34601: Petitioner
Geoffrey Kirk 20 North Main Street, Suite 462 Brooksville FL 34601: Petitioner
Garth Coller 20 North Main Street, Suite 462 Brooksville FL 34601: Petitioner

7. If the appeal is an appeal of a final order or of a partial final judgment, are there any matters still pending in the lower tribunal? If yes, please explain specifically the nature of the order being appealed and what matters remain pending in the lower tribunal.
None/Unknown

DOCUMENT NUMBER: DCA1

02837 APR 15 2010

FPSC-COMMISSION CLERK

8. RECUSALS: For the information of the court, do you believe any judge(s) on this court should not participate in this case? If so, list the judge(s) and state your reasons for that belief. (Note: Providing information in this box will not supplant the need for an appropriate separate motion if you intend to disqualification of a judge.)

None/Unknown

9. PENDING CASES:

(a) Are there any other cases now pending before this court arising from the same case in the lower tribunal? If so, list the style and docket number of those cases now.

None/Unknown

(b) Are there any other cases now pending before this court which involve the same or similar issues. If so, list the style and docket number of those cases and state the issue(s).

None/Unknown

(c) Are there any other cases now pending before this court which are related to this case for reasons other than those set forth in 9(a) and 9(b) above, including, but not limited to, cases arising from the same set of facts? If so, list the style and docket number of those cases and state the reason(s) the cases are related.

None/Unknown

10. PRIOR PROCEEDINGS: Are there any prior previously decided or closed proceedings in this court which involve the same parties or issues which are being addressed in this case? If so, list the style, docket number or citation of those cases.

Yes

685 So.2d 48 (Fla. 1 - Hernando County v. Florida Public Service Commissi

11. CURRENT AND PRIOR PROCEEDINGS IN OTHER COURTS: Are there any pending or prior proceedings in other cases related to this action. If so, list the style, case number, and court of those cases.

None/Unknown

12. PROCEEDINGS BELOW: Are there any cases other than this case pending before a lower tribunal, or about to be filed in this court, which involve the same controversy or parties, or substantially similar issue(s)? If so, list each such case by style, case number, and tribunal where filed.

None/Unknown

PLEASE READ CAREFULLY

13. CHILD CASES: Does this appeal directly involve and substantially affect child custody/visitation support, placement, juvenile dependency, termination of parental rights or delinquency? placement, juvenile dependency, or delinquency?

No

Unless good cause to the contrary is shown by any party, the court will follow a policy of expediting appeals which involve or affect custody, support, placement, dependency, termination of parental rights, and delinquency. The briefing schedule in dependency and termination of parental rights cases is expedited by court orders. However, no extensions of time for briefing will be granted except in extreme emergency; motions will not toll the running of the briefing schedule; and the case will be processed in an expedited manner and decided as early as the interests of justice permit.

(NOTE: In dependency and termination of parental rights cases you are required to comply with the expediting order. In other child cases the court encourages the parties to stipulate to an abbreviated briefing schedule and to arrange with the lower court for the record to be transmitted earlier than the time provided by the Florida Rules of Appellate Procedure.)

CERTIFICATION OF GOOD FAITH
AND
CERTIFICATE OF SERVICE

I certify the following:

- * The information I provided above is accurate and complete.
- * I understand that the information I have provided above will be used to compile a Docketing Statement that will constitute a filing with the First District Court of Appeal. The Docketing Statement is used administratively by the Court.
- * I am familiar with and have had the opportunity to read: Notice to Attorneys and Parties. This document contains important information and is available on the Court's website at www.1dca.org.
- * I am also familiar with the court's
 - * Electronic Filing Requirements (www.1dca.org/FAQ/notice%20on%20edca%20filing.pdf),
 - * Administrative Order 09-3 (www.1dca.org/orders/09-3%20corrected.pdf), and
 - * Administrative Order 10-1 (www.1dca.org/orders/10-1.pdf).
- * If this is a Workers' Compensation cases, I have read and am familiar with the court's Notice addressing extensions of time in filing of workers' compensation briefs (www.1dca.org/FAQ/workers%20comp%20notice%20pdf.pdf).
- * If I am an appellant in an Unemployment Appeals Commission case, I have read and am familiar with the court's Important Notice in Unemployment Compensation Cases (www.1dca.org/FAQ/UnemplAppNotice2ndrevised.pdf).
- * It is my responsibility to ensure that a copy of this Docketing Statement is served on the other side. I certify that I will print and mail a copy of this Docketing Statement to all Parties of Record or their attorneys or, if I have received permission from the other side to provide service by electronic means, I will provide an electric copy of the Docketing Statement to all Parties of Record or their attorneys.

Date: Apr 13, 2010

By: Jon Jouben (Bar No.: 0149561)

Service List

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