

COMMISSIONERS:
RONALD A. BRISÉ, CHAIRMAN
LISA POLAK EDGAR
ART GRAHAM
EDUARDO E. BALBIS
JULIE I. BROWN

STATE OF FLORIDA



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

Public Service Commission

April 17, 2012

Robert Scheffel Wright, Esquire
Gardner, Bist, Wiener, Wadsworth,
Bowden, Bush, Dee, LaVia, & Wright, P.A.
1300 Thomaswood Drive
Tallahassee, Florida 32308

**Re: The City of Marianna vs. Art Graham, etc., et al.,
Supreme Court Case No. SC12-569 - PSC Docket No. 110041-EI**

Dear Mr. Wright:

Enclosed is the Index to the record on appeal regarding the above-referenced docket. Please review this index for content of the record.

If you have any questions regarding this index, please feel free to contact me. The record will be filed in the Supreme Court of Florida on or before June 25, 2012.

Sincerely,

A handwritten signature in cursive script that reads "Ann Cole".

Ann Cole
Commission Clerk

AC: sas
Enclosure

cc: John T. LaVia, III, Esquire
Frank E. Bondurant, Esquire
Beth Keating, Esquire
J.R. Kelly, Office of the Public Counsel
Cecilia Bradley, Office of the Attorney General
Samantha Cibula, Office of the General Counsel
Kathryn Cowdery, Office of the General Counsel
Susan D. Ritenour, Gulf Power Company

1001 MAY 10 10 00 AM 2012

02345 APR 17 2012

FPSC-COMMISSION CLERK

INDEX (BY DATE)
PSC DOCKET NO. 110041-EI

Volume 1

Date		Pages
	Progress Docket	1-5
01/26/11	Florida Public Utilities Company's ("FPUC") petition for approval of Amendment No. 1 to generation services agreement with Gulf Power Company ("GPC")	6-22
01/26/11	FPUC's request for confidential classification of highlighted information contained in Amendment No, 1 to the agreement for generation services with GPC <i>[Clerk note: Confidential Document No. 00607-11 returned to source on March 13, 2012.]</i>	23-26
01/26/11	FPUC's redacted version of highlighted information contained in Amendment No. 1 to the agreement for generation services with GPC (confidential document number 00607-11)	27-37
02/08/11	Memorandum from Robert Graves, Florida Public Service Commission ("Commission"), with noted February 8, 2011, response date, providing recommendation on confidentiality of document number 00607-11	38
02/11/11	Letter dated February 11, 2011, from Pauline E. Evans, Commission, to Beth Keating, Gunster Law Firm, titled "staff's first data request"	39-42
02/11/11	City of Marianna's ("Marianna") petition to intervene	43-49
02/15/11	Letter dated February 15, 2011, from Pauline E. Evans, Commission, to Beth Keating, Gunster Law Firm, titled "staff's second data request"	50-53
02/22/11	Order PSC-11-0122-CFO-EI granting FPUC's request for confidential classification of document number 00607-11	54-56
02/25/11	Letter dated February 25, 2011, from Beth Keating, Gunster Law Firm, to Commission Clerk, with attached responses to staff's first data requests, filed on behalf of FPUC	57-75

02/25/11	FPUC's request for confidential classification of information contained in Attachment A of response to staff's first data request No. 4(c); includes redacted version of confidential document <i>[Note: See Order PSC-11-0195-PCO-EI acknowledging limited withdrawal of request for confidential classification]</i> <i>[Clerk note: Confidential Document No. 01281-11 returned to source on March 13, 2012.]</i>	76-81
02/28/11	Letter dated February 28, 2011, from Beth Keating, Gunster Law Firm, to Commission Clerk, with attached responses to staff's second data request, filed on behalf of FPUC.....	82-100
02/28/11	Order PSC-11-0137-PCO-EI granting Marianna's petition to intervene.....	101-104
03/01/11	Letter dated March 1, 2011, from Pauline E. Evans, Commission, to Robert Scheffel Wright, Young van Assenderp, P.A., titled "staff's first data request"	105-106
03/02/11	Memorandum from Robert Graves, Commission, with noted March 2, 2011, response date providing recommendation on confidentiality of document number 01281-11.....	107
03/08/11	Order PSC-11-0159-CFO-EI granting FPUC's request for confidential classification of document number 01281-11 for 18 months from issuance date of order.....	108-112
03/11/11	Marianna's objection to FPUC's request for confidential classification and motion to vacate Order No. PSC-11-0159-PCO-EI as premature	113-125
03/15/11	Marianna's responses to Commission staff's first data request	126-140
03/17/11	Letter dated March 17, 2011, from Pauline E. Evans, Commission to Beth Keating, Gunster Law Firm, titled "staff's third data request"	141-146
03/23/11	FPUC's notice of limited withdrawal of request for confidential classification of document number 01281-11	147-149
04/11/11	Letter dated April 11, 2011, from Beth Keating, Gunster Law Firm, to Commission Clerk, with attached responses to staff's third data request, filed on behalf of FPUC	150-190

04/11/11	FPUC's request for confidential classification of information contained in Attachment E (No. 14) to response to staff's third data request (document number 02408-11); includes redacted version of confidential document <i>[Clerk note: Confidential Document No. 02408-11 returned to source on March 13, 2012.]</i>	191-196
04/14/11	Order PSC-11-0195-PCO-EI acknowledging FPUC's limited withdrawal of request for confidential classification and denying City of Marianna's motion to vacate Order No. PSC-11-0159-CFO-EI (document number 01281-11); Order No. PSC-11-0159-CFO-EI is reaffirmed in all other respects (document number 01281-11)	197-199

Volume 2

04/15/11	Marianna's notice of Service of first set of interrogatories (Nos. 1-20) to FPUC	200-201
04/21/11	Marianna's notice of Service of first request for production of documents (Nos. 1-18) to FPUC.....	202-204
05/16/11	FPUC's notice of service of responses and objections to the first set of interrogatories from Marianna (Nos. 1-20).....	205-206
05/18/11	FPUC's notice of service of responses and objections to first requests for production of documents from the Marianna (Nos. 1-18)	207-208
05/20/11	FPUC's notice of service of first request for production of documents to Marianna (Nos. 1-12).....	209-210
05/20/11	FPUC's notice of service of first request for admissions to Marianna (Nos. 1-10)	211-212
05/23/11	FPUC's notice of service of first set of interrogatories to Marianna (Nos. 1-14).....	213-214
05/24/11	Memorandum from Robert Graves, Commission, with noted May 20, 2011, response date; providing recommendation on confidentiality of document number 02408-11.....	215
05/31/11	Order PSC-11-0236-CFO-EI granting FPUC's request for confidential classification of document number 02408-11 for 18 months from date of issuance of order.....	216-220

06/02/11	Memorandum dated June 2, 2011 from Commission's Division of Regulatory Analysis, Division of Economic Regulation and Office of the General Counsel to Commission Clerk for June 14, 2011, Agenda Conference.....	221-225
06/14/11	Vote sheet for Item 10 of June 14, 2011, Agenda Conference.....	226
06/17/11	Transcript of discussion of Item 10 of June 14, 2011, Agenda Conference.....	227-230
06/20/11	Marianna's notice of service of responses to FPUC's first request for admissions (Nos. 1-10).....	231-232
06/20/11	Marianna's notice of service of responses and objections to FPUC's first set of interrogatories (Nos. 1-14).....	233-234
06/20/11	Marianna's notice of service of responses and objections to FPUC's first request for production of documents (Nos. 1-12).....	235-236
06/21/11	PAA Order PSC-11-0269-PAA-EI approving Amendment No. 1 to purchased power contract for generation service between FPUC and GPC for purposes of fuel cost recovery calculation.....	237-241
07/12/11	Marianna's petition protesting PAA Order PSC-11-0269-PAA-EI and requesting formal proceeding.....	242-259
07/28/11	FPUC's motion to dismiss Marianna's petition protesting Order PSC-11-0269-PAA-EI.....	260-275
07/28/11	FPUC's request for oral argument on motion to dismiss Marianna's petition.....	276-277
07/29/11	Letter dated July 29, 2011, from Beth Keating, Gunster Law Firm, to Commission Clerk for informational purposes only; with attached executed letter agreement between FPUC and GPC extending the approval deadline set forth in Section B.1 of Amendment No. 1 from July 31, 2011, to December 31, 2011.....	278-281
08/04/11	FPUC's notice of voluntary withdrawal of request for attorney's fees and sanctions.....	282-283
08/04/11	Marianna's request for oral argument of FPUC's motion to dismiss and Marianna's response in opposition to motion.....	284-286
08/04/11	Marianna's response in opposition to FPUC's motion to dismiss.....	287-312

01/05/12	Letter dated January 5, 2012, from Beth Keating, Gunster Law Firm, to Commission Clerk for informational purposes only; with attached executed letter agreement between FPUC and GPC extending the approval deadline set forth in Section B.1 of Amendment No. 1 from December 31, 2011, to March 31, 2012.....	313-316
01/11/12	Memorandum dated January 11, 2012, from Commission's Division of Regulatory Analysis, Division of Economic Regulation and Office of the General Counsel to Commission Clerk Commission for January 24, 2012, Agenda Conference	317-326
01/24/12	Vote sheet for Item 2 of January 24, 2012, Agenda Conference.....	327-328
01/27/12	Transcript of discussion of Item 2 of January 24, 2012, Agenda Conference	329-344
02/09/12	Order PSC-12-0056-FOF-EI granting FPUC's motion to dismiss Marianna's petition protesting PAA Order PSC-11-0269-PAA-EI and requesting formal proceeding, with prejudice	345-352
02/23/12	Consummating Order PSC-12-0081-CO-EI revives and makes Order PSC-11-0269-PAA-EI effective and final; closes docket	353-354
03/13/12	Letter from Ann Cole, Commission Clerk, dated March 13, 2012, to Beth Keating, Gunster Law Firm, returning confidential document numbers 00607-11, 01281-11, and 02408-11.....	355
03/19/12	Marianna's notice of administrative appeal.....	356-375
03/20/12	Letter from Ann Cole, Commission Clerk, dated March 20, 2012, to Thomas D. Hall, Supreme Court of Florida, forwarding a certified copy of Marianna's notice of administrative appeal and attachments, Orders Nos. PSC-12-0056-FOF-EI, PSC-12-0081-CO-EI, and PSC-11-0269-PAA-EI	376-394
03/20/12	Supreme Court's acknowledgement of filing of certified copy of Marianna's notice of administrative appeal and attachments, Order Nos. PSC-12-0056-FOF-EI, PSC-12-0081CO-EI, and PSC-11-0269-PAA-EI	395