

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: July 22, 2014
TO: Carlotta Stauffer, Commission Clerk, Office of Commission Clerk
FROM: Martha Brown, Senior Attorney, Office of the General Counsel
RE: Docket Number 140059-EM - Notice of new municipal electric service provider and petition for waiver of Rule 25-9.044(2), F.A.C., by Babcock Ranch Community Independent Special District.

Please place the attached correspondence from Babcock Ranch Community Independent District in the referenced docket file.

MCB/ace
Attachment

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July 22, 2014

(Via Electronic Mail)

Braulio L. Baez, Esq.
Executive Director
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket 140059-EM – Notice of new municipal electric service provider and petition for waiver of Rule 25-9.044(2), F.A.C., by Babcock Ranch Community Independent Special District.

Dear Braulio:

Consistent with its June 25, 2014, letter seeking a deferral in the above-referenced matter, the Babcock Ranch Community Independent Special District (“District”) has engaged in settlement discussions with the parties in an attempt to resolve disagreements among them and to settle issues presented to the Florida Public Service Commission (“Commission”). After consultation with the Lee County Electric Cooperative (“LCEC”) and Florida Power & Light Company (“FPL”), the District is authorized to seek further deferral so that sufficient time will be available for the parties to come to an amicable resolution, should settlement discussions continue to bear fruit.

Therefore, the District respectfully requests that the Commission defer consideration of the District’s Notice of New Municipal Electric Service Provider and Petition for Waiver of Rule 25-9.044(2), F.A.C., as well as all dispositive motions filed in this docket, to the next regularly scheduled Commission Agenda Conference after August 12, 2014, which is currently identified on the Commission’s calendar as occurring September 4, 2014.

As with its previous request, the District agrees to a tolling of the date by which the Commission must, under statute, dispose of the District’s Petition. So that the Commission will have sufficient time to consider the matter at Agenda Conference and issue PAA and

Braulio L. Baez, Esq.

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Consummating Orders should settlement talks ultimately fail, the District agrees to a further tolling of the statutory deadline to October 6, 2014.

Sincerely,



William C. Garner

*Counsel for Babcock Ranch Community
Independent Special District*

cc: D. Bruce May, Jr., Esq. (counsel for Lee County Electric Cooperative)
Scott Goorland, Esq. (counsel for Florida Power & Light)
S. Curtis Kiser, Esq. (PSC General Counsel)
Martha Brown, Esq.