

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Complaint and petition of the City )  
of Cape Coral, Florida, for an investigation )  
into the rate structure of Lee County Electric )  
Cooperative, Inc. )  
\_\_\_\_\_ )

Docket no. 160060-EC

Filed: April 19, 2016

**CITY OF CAPE CORAL’S REQUEST FOR ORAL ARGUMENT**

The City of Cape Coral, Florida (“City”), has concurrently filed a Response of the City of Cape Coral to Lee County Electric Cooperative’s (LCEC) Motion Dismiss filed in this docket, and pursuant to Rule 25-22.022, Florida Administrative Code, hereby requests the opportunity to present oral argument to the full Commission in opposition to LCEC’s Motion to Dismiss, and as grounds therefor, says:

1. On March 15, 2016, the City filed a Complaint and Petition for an Investigation Into the Rate Structure of Lee County Electric Cooperative, Inc. On April 12, 2016, LCEC filed a motion to dismiss the City’s complaint and petition. On April 19, 2016, the City filed its Response to LCEC’s Motion to Dismiss, which is filed concurrently with this request.

2. The City believes that oral argument on the matters raised in the above-referenced pleadings will assist the Commission in its deliberations by providing a more complete presentation of the relevant facts and authorities as they bear on the matters at issue. Oral argument would also provide the Commission with the opportunity to request clarification, as necessary.

WHEREFORE, THE CITY OF CAPE CORAL, FLORIDA, respectfully requests that the Commission, prior to a decision on LCEC’s Motion to Dismiss, schedule oral argument before the full Commission.

Respectfully submitted,

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Attorneys for the City of Cape Coral, Florida

## CERTIFICATE OF SERVICE

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic delivery and U.S. Mail to D. Bruce May, Esq., Holland & Knight, Bank of America Building, Suite 600, 315 South Calhoun Street, Tallahassee, Florida 32301, and to Dennie Hamilton, CEO, Lee County Electric Cooperative, Inc., 4980 Bayline Drive, North Fort Myers, Florida 33917, on this 19th day of April, 2016. Copies have also been furnished by electronic delivery to the following interested parties: William B. Willingham, [fecabill@embarqmail.com](mailto:fecabill@embarqmail.com).

By: /s/ Brian P. Armstrong  
Brian P. Armstrong, Esq.  
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