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December 5, 2016

Ms. Carlotta S. Stauffer
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Docket No. 160060-EC: Complaint and Petition of the City of Cape Coral, Florida For An Investigation Into The Rate Structure Of Lee County Electric Cooperative, Inc.

Dear Ms. Stauffer:

Pertinent sections of the Florida Statutes provide that a rural electric cooperative is authorized to distribute electric energy "in rural areas to its members, to governmental agencies and to political subdivisions." A "rural area" is defined as "any area not included within the boundaries of any incorporated or unincorporated city, town, village, or borough having a population in excess of 2,500 persons..." Sections 425.03 and 425.04(4), Florida Statutes.

The City of Cape Coral has asked me to identify Florida's 20 largest cities and the electric utility providing service to each city. Attached is the result of my research using 2010 Census data. As we know, with a current population of over 165,000 people, Cape Coral now is Florida's 10th largest city, not the 11th as it was at the time of the 2010 census.

As indicated in the attached chart, Cape Coral is the only city of Florida's 20 largest cities which is served by a rural electric cooperative.

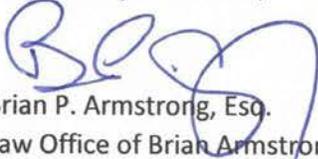
Could the Commission please provide the City of Cape Coral with records or information as to the next ten largest cities in Florida which are served by a rural electric cooperative?

Could the Commission please provide records of any Commission investigation into the reasonableness of a rural electric cooperative, designed to serve unincorporated rural areas and cities with less than 2,500 population, actually serving a city with a population in the hundreds of thousands (as Cape Coral soon will be)?

If a rural electric cooperative is to be permitted to serve a city with a population that far exceeds Florida's statutory limit for rural cooperatives, has the Commission ever established rules or criteria so that a rural electric cooperative cannot use such a city and its residents to unreasonably subsidize the cooperative's customers residing in less densely populated areas served by the rural electric cooperative and, if so, could the Commission please provide related documents?

Your assistance and cooperation in these regards are very much appreciated.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'B. Armstrong', with a large, stylized flourish extending from the end of the signature.

Brian P. Armstrong, Esq.
Law Office of Brian Armstrong, PLLC
Counsel for the City of Cape Coral

Cc: Parties of Record

Florida's 20 Largest Cities and the Electric Utility Serving Them

1. **Jacksonville**/ Jacksonville Electric Authority/ municipal electric utility (MEU)
2. **Miami**/ Florida Power & Light/ Investor-owned utility (IOU)
3. **Tampa**/ Tampa Electric Co./ IOU
4. **St. Petersburg**/ Duke Energy Florida/ IOU
5. **Orlando**/ Orlando Utilities Commission/ MEU
6. **Hialeah**/ Florida Power & Light/ IOU
7. **Tallahassee**/ City of Tallahassee/ MEU
8. **Fort Lauderdale**/ Florida Power & Light/ IOU
9. **Port St. Lucie**/ Florida Power & Light/ IOU
10. **Pembroke Pines**/ Florida Power & Light/ IOU
11. **Cape Coral**/ Lee County Electric Cooperative/ Rural Electric Cooperative
12. **Hollywood**/ Florida Power & Light/ IOU
13. **Gainesville**/ Gainesville Regional Electric/ MEU
14. **Miramar**/ Florida Power & Light/ IOU
15. **Coral Springs**/ Florida Power & Light/ IOU
16. **Clearwater**/ Duke Energy Florida/ IOU
17. **Miami Gardens**/ Florida Power & Light/ IOU
18. **Palm Bay**/ Florida Power & Light/ IOU
19. **West Palm Beach**/ Florida Power & Light/ IOU
20. **Pompano Beach**/ Florida Power & Light/ IOU

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic delivery to the following (unless otherwise noted below) on the 5th day of December, 2016:

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By: 

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