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STATE OF FLORIDA



DIVISION OF ECONOMICS
ELISABETH J. DRAPER
DIRECTOR
(850) 413-6410

Public Service Commission

February 13, 2024

STAFF'S SECOND DATA REQUEST
Via E-Mail

Jody Lamar Finklea, Esquire,
On behalf of City of Bushnell, Florida
General Counsel and Chief Legal Officer
Florida Municipal Power Agency
2061-2 Delta Way
Tallahassee, Florida 32315
jody.lamar.finklea@fmpa.com

D. Bruce May, Jr., Esquire,
On behalf of Sumter Electric Cooperative, Inc.
Holland & Knight, LLP
315 South Calhoun Street - - Suite 600
Tallahassee, Florida, 32301
Bruce.may@hkllaw.com

Re: Docket No. 20230140-EU - Joint Petition of Sumter Electric Cooperative, Inc. and the City of Bushnell, a Florida municipality, for approval of a Modification to a Territorial Agreement in and for Sumter County.

Dear Counsels:

By this letter, the Commission staff respectfully requests Sumter Electric Cooperative, Inc. (SECO) and the City of Bushnell (Bushnell) provide responses to Staff's Second Data Request regarding the above-referenced joint petition.

The Second Amendment pertains to two parcels, and for ease of reference, the customer receiving service on the nearly 5 acre parcel (referenced in the petition as Parcel N14-013) will be identified herein as "Customer 1" and the customer on the other parcel (the 2 acre parcel referenced in the petition as Parcel N14-015) will be identified as "Customer 2."

1. The Second Amendment to Territorial Agreement, Paragraph 4 (Agreement of Parties) states that the joint petitioners reviewed “the requirements of the new customers.” Please discuss the results of these reviews for Customer 1 and Customer 2, specifically stating for each customer all unusual, unique, or out-of-the-ordinary requirements that were considerations for providing electric service.
2. On what date(s) did Customer 1 and Customer 2 notify one or both utilities regarding their need for electric service? Specify which utility(ies) the customers contacted.
3. On what date(s) did Customer 1 and Customer 2 make a formal application to receive electric service?
4. During what dates did SECI construct electric service to Customer 1 and Customer 2?
5. On what date(s) did SECI establish service to Customer 1 and Customer?
6. Please describe the notification(s) or customer communications one or both utilities provided to either or both customers about the territorial modification between SECO and Bushnell.
7. Provide copies of any notices, letters, emails, invoices, or any other relevant documentation exchanged between the joint petitioners and Customer 1 and Customer 2 pertaining to the provision of electric service, the current territorial boundary, the proposed territorial boundary, the temporary service agreement, or the actions either or both utilities must undertake for governmental approvals needed in order to make changes to current territorial boundary. Please redact any confidential customer information as needed.
8. The Second Amendment to Territorial Agreement, Paragraph 5 (Meeting Customers Needs) references that the joint petitioners entered into a “temporary service agreement.”
 - a. Please provide a copy of this agreement.
 - b. Do the joint petitioners believe the temporary service agreement is a proxy (or substitute) for adhering to the requirements of Rule 25-6.0440, Florida Administrative Code? Please discuss your response.

9. In a phone call with staff on February 13, 2024, joint petitioners stated that the temporary service agreement was entered into on June 23, 2023. Please answer the following:
 - a. The instant petition was filed December 27, 2023. Identify what impediments restricted the joint petitioners from seeking Commission approval in a more timely manner than evidenced here.
 - b. Joint petitioners stated that the temporary service agreement was contingent upon the Commission's approval of the formal territorial amendment. Please discuss the contingency plan for providing electric service under the scenario of the Commission not approving the formal territorial amendment, and what actions the petitioners would take to reverse the actions taken thus far.

10. With regards to Docket No. 20210170-EU, please clarify whether the customers (one large industrial, security light service, and an RV Park) that had requested service were receiving temporary service from SECO while the proposed territorial agreement to exchange certain territorial parcels was pending approval before the Commission (similar to the situation in the current docket). That is staff's understanding from the February 13, 2024 phone call that the information was communicated to staff assigned to Docket No. 20210170-EU. If the three customers were already receiving temporary service from SECO, please state where in Docket No. 20210170-EU that information was expressly stated (in the petition or in the response to staff's data request). Staff searched its calendar and could not find a noticed meeting between staff and the parties where that information could have been provided. If the information was provided informally, please describe the communication to the best of your recollection.

Please file all responses electronically no later than February 16, 2024 via the Commission's website at www.floridapsc.com by selecting the Clerk's Office tab and Electronic Filing Web Form. Please contact me at akaymak@psc.state.fl.us or at (850) 413-6638 or Michael Barrett at mbarrett@state.fl.us if you have any questions.

Thank you,

/s/Alara Kaymak

Alara Kaymak
Public Utility Analyst

cc: Michael Barrett, Economist Supervisor
Office of the Commission Clerk