#### SUPREME COURT OF FLORIDA

West Florida Electric Cooperative Association, Inc.,	)	THOMAS D. HALL
Appellant,	) ) )	CLERK, SUPREME COURT BY
vs.	)	<b>Case No. SC02-176</b>
	)	
Lila A. Jaber, Chairman, et al.,	)	
	)	
Appellee.	)	
	)	

### TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to resolve territorial dispute with Gulf Power Company in Washington County by West Florida Electric Cooperative Association, Inc.

## **DOCKET NO. 010441-EU**

John H. Haswell, Esquire Chandler, Lang, Haswell & Cole, P.A. Post Office Box 23879 Gainesville, Florida 32602-3879

Frank E. Bondurant, Esquire Post Office Box 854 Marianna, Florida 32447-0854 David Smith, Esquire Richard Bellak, Esquire The Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

ETT ED

ATTORNEYS FOR APPELLANT

ATTORNEYS FOR APPELLEE

DOCUMENT NO. DATE

15566-02 12/31/2002 TPSC - COMMISSION CLERK

# INDEX

West Florida Electric Cooperative Association, Inc.

VS.

Lila Jaber, Chairman, et al. PSC Docket No. 010441-EU Supreme Court Case No. SC02-176

# **VOLUME 1**

Progress Docket
Petition to resolve territorial dispute, by West Florida Electric Cooperative Association, Inc., filed April 10, 2001
Answer of Gulf Power Company to petition of West Florida Electric Cooperative Association, filed May 8, 2001
Memorandum dated June 7, 2001 from Commission's Division of Legal Services to John Haswell, Jeffrey Stone, and other interested parties listing staff's proposed issues, filed June 7, 2001
Order PSC-01-1354-PCO-EU establishing procedure, issued June 20, 2001
Memorandum dated June 19, 2001 from Commission's Division of Legal Services to John Haswell, Jeffrey Stone, and other interested parties listing staff's summary of discussion at issue identification meeting, filed June 21, 2001
Motion for continuance of controlling dates, on behalf of West Florida Electric Cooperative Association, filed July 10, 2001
Gulf Power Company's response to and joinder with WFEC's motion for continuance of controlling dates, filed July 10, 2001
Order PSC-01-1476-PCO-EU rescheduling prehearing and hearing, order granting in part and denying in part motion for continuance of controlling dates, and order modifying order on procedure, issued July 13, 2001
Notice for publication in August 10, 2001 Florida Administrative Weekly, filed  August 1, 2001
Notice of September 19, 2001 hearing and August 30, 2001 prehearing conference, issued August 9, 2001

Prehearing statement of Gulf Power Company, filed August 22, 2001		
Staff's prehearing statement, filed August 22, 2001		
Notice for publication in August 31, 2001 Florida Administrative Weekly, filed August 22, 2001		
Pre-hearing statement of West Florida Electric Cooperative Association, Inc., filed August 22, 2001		
Notice of taking deposition of Gulf Power Company, filed August 23, 2001		
West Florida Electric Cooperative Association, Inc.'s first motion to compel discovery, filed August 24, 2001		
Transcript of prehearing conference held August 30, 2001 in Tallahassee, filed September 4, 2001		
Motion to quash subpoena or for protective order, on behalf of Florida Gas Transmission Company, filed September 4, 2001		
Memorandum in support of motion to quash subpoena or for protective order, on behalf of Florida Gas Transmission Company, filed September 4, 2001		
Motion for expedited consideration, on behalf of Florida Gas Transmission Company, filed September 4, 2001		
Amended notice of taking telephonic deposition duces tecum of Enron Compression Services Company, on behalf of West Florida Electric Cooperative Association, Inc., filed September 6, 2001		
Withdrawal of motion to compel discovery, on behalf of West Florida Electric Cooperative Association, Inc., filed September 10, 2001		
Prehearing Order PSC-01-1825-PHO-EU, issued September 11, 2001		
Gulf Power Company's post-hearing brief and statement of issues and positions, filed October 10, 2001		
VOLUME 2		
Post-hearing brief and post-hearing statement of issues and positions of West Florida Electric Cooperative Association, Inc., filed October 10, 2001		

Memorandum from Commission's Divisions of Legal Services and Division of Safety and Electric Reliability to Division of the Commission Clerk and Administrative Services,	
filed November 19, 2001	2
Order PSC-01-2499-FOF-EU resolving territorial dispute, issued December 21, 2001 26	4
Notice of appeal to the Supreme Court of Florida, on behalf of West Florida Electric Cooperative Association, Inc., filed January 18, 2002	9
Letter dated 2/15/02 to Supreme Court of Florida from John Haswell regarding time frames, filed February 18, 2002	7
Certificate of Director, Division of the Commission Clerk and Administrative Services 29	8

### **HEARING TRANSCRIPTS AND EXHIBITS**

Transcript of hearing held September 19, 2001, pages 1 through 201 (reference court reporter's original page numbers)

Hearing exhibits 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 from September 19, 2001 hearing

#### SUPREME COURT OF FLORIDA

West Florida Electric Cooperative Association, Inc.,	) FILED THOMAS D. HALL
, ,	MAY 0 7 2002
Appellant, vs.	) CLERK, SUPREME COUR BY Case No. SC02-176
Lila A. Jaber, Chairman, et al.,	) VOLUME 2
Appellee.	) ) )

### TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to resolve territorial dispute with Gulf Power Company in Washington County by West Florida Electric Cooperative Association, Inc.

#### **DOCKET NO. 010441-EU**

John H. Haswell, Esquire Chandler, Lang, Haswell & Cole, P.A. Post Office Box 23879 Gainesville, Florida 32602-3879

Frank E. Bondurant, Esquire Post Office Box 854 Marianna, Florida 32447-0854 David Smith, Esquire Richard Bellak, Esquire The Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

ATTORNEYS FOR APPELLEE

ATTORNEYS FOR APPELLANT

Prehearing statement of Gulf Power Company, filed August 22, 2001
Staff's prehearing statement, filed August 22, 2001
Notice for publication in August 31, 2001 Florida Administrative Weekly, filed August 22, 2001
Pre-hearing statement of West Florida Electric Cooperative Association, Inc., filed August 22, 2001
Notice of taking deposition of Gulf Power Company, filed August 23, 2001
West Florida Electric Cooperative Association, Inc.'s first motion to compel discovery, filed August 24, 2001
Transcript of prehearing conference held August 30, 2001 in Tallahassee, filed September 4, 2001
Motion to quash subpoena or for protective order, on behalf of Florida Gas Transmission Company, filed September 4, 2001
Memorandum in support of motion to quash subpoena or for protective order, on behalf of Florida Gas Transmission Company, filed September 4, 2001
Motion for expedited consideration, on behalf of Florida Gas Transmission Company, filed September 4, 2001
Amended notice of taking telephonic deposition duces tecum of Enron Compression Services Company, on behalf of West Florida Electric Cooperative Association, Inc., filed September 6, 2001
Withdrawal of motion to compel discovery, on behalf of West Florida Electric Cooperative Association, Inc., filed September 10, 2001
Prehearing Order PSC-01-1825-PHO-EU, issued September 11, 2001
Gulf Power Company's post-hearing brief and statement of issues and positions, filed October 10, 2001
VOLUME 2
Post-hearing brief and post-hearing statement of issues and positions of West Florida Electric Cooperative Association, Inc., filed October 10, 2001

Memorandum from Commission's Divisions of Legal Services and Division of Safety and Electric Reliability to Division of the Commission Clerk and Administrative Services, filed November 19, 2001	242
Order PSC-01-2499-FOF-EU resolving territorial dispute, issued December 21, 2001	
Notice of appeal to the Supreme Court of Florida, on behalf of West Florida Electric Cooperative Association, Inc., filed January 18, 2002	. 279
Letter dated 2/15/02 to Supreme Court of Florida from John Haswell regarding time frames, filed February 18, 2002	
Certificate of Director, Division of the Commission Clerk and Administrative Services	. 298

# **HEARING TRANSCRIPTS AND EXHIBITS**

Transcript of hearing held September 19, 2001, pages 1 through 201 (reference court reporter's original page numbers)

Hearing exhibits 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 from September 19, 2001 hearing