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BEFORE THE PUBLIC SERVICE COMMISSION

DOCKET NO. 060512-EU

FLORIDA ELECTRIC COOPERATIVES ASSOCIATION, INC.

DIRECT TESTIMONY OF WILLIAM B. WILLINGHAM

SEPTEMBER 8, 2006

Q. Please state your name, your position, and your business address.

A. My name is William B. Willingham. I am Executive Vice President of the Florida Electric Cooperative Association, Inc. ("FECA"). My business address is 2916 Apalachee Parkway, Tallahassee, Florida 32301.

Q. Please summarize your background and experience.

A. I received a Bachelors of Industrial Engineering from the Georgia Institute of Technology in 1981, and a Juris Doctor from the FSU College of Law in 1990. From 1981 to 1988, I was employed by the Florida Power & Light Company in various capacities that involved distribution engineering and operations in their Southeast Division. From 1991 through 1997, I was in private practice primarily representing municipally-owned and investor-owned electric, gas, water, and sewer utilities, and investor-owned alternative local exchange companies before the Florida

CMP \_\_\_\_\_  
COM 5 \_\_\_\_\_  
CTR DG \_\_\_\_\_  
ECR \_\_\_\_\_  
SCL 1 \_\_\_\_\_  
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SEC 1 \_\_\_\_\_  
DTH \_\_\_\_\_

1 Public Service Commission (“Commission”). In January of 1998 I  
2 became the Executive Vice President of FECA.

3 Q. Have you previously testified before the Commission?

4

5 A. No. I have appeared before the Commission on behalf of several clients,  
6 but I have never testified.

7

8 Q. What is the purpose of your testimony?

9

10 A. My testimony addresses FECA’s specific areas of concerns with the  
11 Commission’s proposed rule, including (a) the Commission’s attempt to  
12 define construction standards for co-ops, (b) the Commission’s attempt to  
13 mandate the application of the extreme wind loading standards in the  
14 National Electrical Safety Code (“NESC”) to co-op distribution facilities,  
15 (c) the Commission’s attempt to regulate the placement of a co-op’s  
16 distribution facilities, and (d) the Commission’s attempt to resolve  
17 disputes between a co-op and its members, and the Commission’s attempt  
18 to resolve contractual disputes between a co-op and a third party attacher.  
19 I also address the alternative proposed rule that FECA submitted in this  
20 proceeding.

21

22 Q. Please tell the Commission about FECA.

23

1 A. FECA is a membership association that represents two generation co-ops,  
2 and 15 of the 16 distribution co-ops that serve end-use customers in  
3 Florida. Electric Cooperatives serve almost 1,000,000 meters in Florida,  
4 with the smallest co-op serving approximately 10,000 meters and the  
5 largest serving approximately 200,000 meters. Florida's cooperatives  
6 were formed in the late 1930's and early 1940's in areas that were not  
7 served by investor-owned or municipally-owned utilities. All of Florida's  
8 co-ops are owned by those they serve, and they are governed by boards  
9 that are elected by the co-op members. Each trustee must be a member of  
10 the cooperative and must live in the district they represent. The trustees  
11 ultimately are responsible to the member-owners for the co-op's service  
12 and rates.

13  
14 Q. Did you file comments on behalf of FECA regarding the Commission  
15 Staff's draft rules in Docket Nos. 060172-EU and 060173-EU?

16  
17 A. Yes, and FECA's stated concerns have not been addressed in Proposed  
18 Rule 25-6.0343. For example, in our May 3 comments, a copy of which is  
19 attached hereto as Attachment A, we pointed out that the construction  
20 standards for most of FECA's members are defined and regulated by the  
21 Rural Utilities Service ("RUS"), which is a division of the United States  
22 Department of Agriculture. The RUS has an extensive history with nearly  
23 1,000 electric cooperatives in the United States. RUS' standards have

1           been developed through their own expertise and experience with co-ops  
2           and by adopting national standards of groups such as the American  
3           National Standards Institute, American Wood Preservers Association,  
4           various national engineering societies and the National Electrical Safety  
5           Code (“NESC”). This Commission has previously recognized RUS’  
6           expertise by adopting RUS’ Bulletin 1730B-121 as the basis for pole  
7           inspection procedures for investor-owned utilities. Order No. PSC-06-  
8           0144-PAA-EI issued on February 27, 2006.

9           FECA argued then, as it does now, that there is no need for the  
10          Commission to adopt a rule requiring the adoption of construction  
11          standards by co-ops, given that they already have construction standards  
12          and all RUS co-ops must comply with RUS standards. FECA also  
13          expressed concern that any construction standards defined by the  
14          Commission pursuant to proposed Rule 25-6.0343(1)(a) might interfere  
15          with the co-op’s contract with RUS, and I reiterate that concern today.

16  
17          FECA also stated in its earlier comments that a requirement to use the  
18          extreme wind loading standards of the NESC would greatly increase our  
19          cost of construction, possibly without any measurable benefits. We  
20          pointed out that use of the extreme wind loading standards for distribution  
21          will do very little to prevent damage from straight-line winds that greatly  
22          exceed the extreme wind loading standards, tornadic winds, falling trees  
23          and limbs and flying debris, which were the causes for most of the co-op

1 distribution pole failures during the 2004 and 2005 hurricane seasons. We  
2 also attached Exhibit “A” to our comments which showed that  
3 Withlacoochee River Electric Cooperative estimates that the cost of  
4 materials per mile of line for various applications of the 250B and 250C  
5 criteria in the NESC will more than double the cost of construction  
6 materials in some cases.<sup>1</sup> Use of the extreme wind loading standards  
7 would require Withlacoochee to increase the number of poles by  
8 approximately 50%. I share the concerns raised by Verizon witness Dr.  
9 Slavin in Docket Nos. 060172-EU and 060173-EU on August 31, that use  
10 of the extreme wind loading standards will result in longer outages in  
11 many cases due to the requirement to use more poles. Therefore, FECA  
12 disagrees with the underlying premise of proposed Rule 25-6.0343(1)(a).

13  
14 Q. You stated that FECA is opposed to the Commission’s attempt in its  
15 proposed Rule 25-6.0343(2) to regulate the placement of a co-op’s  
16 distribution facilities?

17

---

<sup>1</sup> FECA disputes the statement on page 24 of the Commission Staff’s analysis of proposed Rule 25-6.0343, dated June 8, 2006, that “cooperative utilities did not provide cost impacts of the proposed changes to Rule 25-6.034.” We assume the Staff overlooked this cost estimate.

1       A.     Yes, subsection (2) of proposed Rule 25-6.0343 appears to require  
2             distribution facilities to be placed adjacent to a public road and in front of  
3             the customer's premises unless there are extenuating circumstances, such  
4             as failing an unspecified cost-effectiveness test. First and foremost,  
5             FECA believes that a cooperative's management and board are uniquely  
6             qualified to establish guidelines for the placement of facilities without  
7             guidance from the Commission. Second, the front-lot presumption should  
8             not apply in rural areas. In many cases the cooperative will construct lines  
9             across open fields because it is a significantly shorter and cheaper path to  
10            serve a new member. In many cases, an alternative route along  
11            established roads would be significantly longer and therefore more  
12            expensive, and probably would fail under the cost-effectiveness test.  
13            Nevertheless, the presumption in the rule that facilities should be placed  
14            adjacent to a public road is troubling and may unintentionally create a  
15            legal burden on cooperative boards that dare to place facilities in locations  
16            other than along roadways.

17  
18            FECA also takes exception to the rule's location preference as it applies to  
19            commercial buildings. Whenever possible, cooperatives will locate  
20            facilities in an area that is accessible to vehicles because it minimizes the  
21            time and the effort to install and to maintain the equipment, but the best  
22            location is not necessarily the front of the building. In some cases  
23            commercial properties have holding ponds and other obstructions in front

1 of the building that would render the utility's facilities inaccessible by  
2 vehicles if placed in the front. In other cases it is advantageous to place a  
3 pad mounted transformer in the rear of a commercial building to avoid  
4 contact with vehicles that travel at high speeds. Perhaps these are  
5 extenuating circumstances that should allow the utility to avoid the  
6 presumptions in the rule for commercial properties, but this is not clear  
7 from the Rule, and again it may create undesirable liability for  
8 cooperatives that chose to install facilities in a place that is not adjacent to  
9 a public road or in front of the premises.

10

11 Q. In proposed Rule 25-6.0343(4), the Commission states that it shall resolve  
12 "[a]ny dispute or challenge to a utility's construction standards by a  
13 customer, applicant for service, or attaching entity." Do you think this is a  
14 good policy for a cooperative or its members?

15

16 A. No. In the first place, I agree with Mr. Martz's testimony regarding the  
17 resolution of member issues at the co-op. I would also add that when co-  
18 op members call into the Commission's consumer complaint line  
19 regarding a co-op issue, they are routinely referred to my office or directly  
20 to the co-op's staff. When a co-op member contacts the Governor's  
21 office, they receive a standard letter from the Governor stating that co-ops  
22 "are not regulated by state government." See Attachment "B" hereto. I

1 seriously doubt that the Commission has the requisite jurisdiction to  
2 interfere with a co-op's dispute resolution process with its members.

3  
4 I also doubt that the Commission has the requisite jurisdiction to resolve a  
5 contract dispute between a co-op and a third party attacher. Co-op pole  
6 attachments are not subject to the Federal Communications Commission's  
7 jurisdiction. FECA's members have private contracts with third party  
8 attachers that define the terms and conditions for attaching to the other  
9 party's facilities. Even if the Commission somehow has jurisdiction to  
10 resolve private contracts, Section (3) of the proposed rule could result in  
11 the impairment of a cooperative's existing contract with an attacher, and it  
12 is absolutely unnecessary for cooperatives.

13  
14 Q. Are you familiar with the alternative rule that FECA filed as Attachment  
15 "A" to its comments on September 8?

16  
17 A. Yes. However, let me be clear. It is FECA's position there is no need for  
18 any new rule applicable to co-ops. The Commission first established its  
19 construction standard rule well before the passage of the Grid Bill and  
20 well before it had any jurisdiction over co-ops. That rule applied only to  
21 investor owned public utilities, and even today, thirty-two years after the  
22 adoption of the Grid Bill giving the Commission limited jurisdiction over  
23 co-ops, it still only applies to investor owned public utilities.



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As has been set forth in FECA's comments, there is no apparent need for a construction standards rule for co-ops. Such standards are already in place. They require compliance with the NESC and generally accepted engineering practices. Moreover, RUS co-ops have to comply with extensive standards that have been adopted by the RUS. There has been no demonstration of need for proposed Rule 25-6.0343.

In addition, as set forth above, many issues in the Commission's proposed rule appear to be beyond the Commission's jurisdiction. Even if such matters were within the Commission's limited jurisdiction over co-ops, they would be best left to the co-op's democratically representative boards that are far more familiar with the unique characteristics of the co-op's local service territory, the level of service required by their fellow members and the cost implications of the resolution of such issues.

The remaining issues that the Commission appears to be addressing in proposed Rule 25-6.0343 are tied to the NESC. Consequently, they already are subsumed in the Commission's existing Rule 25-6.0345. As required by Rule 25-6.0345(2), co-ops file their completed work orders with the Commission. In addition, Commission staff inspects the

1 construction standards and pole attachments of each co-op four times a  
2 year.<sup>2</sup> Therefore, a new rule appears to be redundant.

3  
4 For all the foregoing reasons, FECA encourages the Commission not to  
5 adopt any rule applicable to co-ops. Nevertheless, in the spirit of good  
6 faith and compromise, FECA is offering an alternative proposed rule.

7 The alternative proposed rule provides a least cost regulatory alternative to  
8 the Commission's proposed rule while also accomplishing all of the stated  
9 goals of the Commission's proposal. It also has the advantage of allowing  
10 FECA and the Commission to avoid a jurisdictional fight on the  
11 Commission's proposed rule.

12  
13 FECA's alternative proposed rule, which is premised upon the  
14 Commission's safety jurisdiction, sets forth a procedure for the  
15 Commission to review certain standards, procedures and guidelines of co-  
16 ops and municipals, and it requires the utilities to file annual reports on  
17 pole inspection and vegetation management activities. All of the activities  
18 in FECA's alternative rule are related to the NESC and should be within  
19 the Commission's limited jurisdiction over co-ops.

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<sup>2</sup> Attachment "C" hereto is a letter from Commission staff to Glades Electric Cooperative, Inc. regarding the most recent inspection and the variances found during the inspection.

1

2 Q. Does this conclude your testimony?

3

4 A. Yes. Thank you for the opportunity to have input into this proceeding

5 which is of great interest to Florida's cooperatives.

ATTACHMENT A

To

DIRECT TESTIMONY OF WILLIAM B. WILLINGHAM

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed amendments to rules regarding )  
overhead electric facilities to allow more stringent ) Docket No. 060173-EU  
construction standards than required by the NESC. )

In re: Proposed rules governing placement of new )  
electric distribution facilities underground and ) Docket No. 060172-EU  
conversion of existing overhead distribution faci- ) Filed: May 3, 2006  
lities to underground facilities, to address effects )  
of extreme weather events. )

**POST-WORKSHOP COMMENTS OF THE FLORIDA  
ELECTRIC COOPERATIVES ASSOCIATION, INC.**

The Florida Electric Cooperatives Association, Inc, ("FECA"), by and through its counsel, submit the following Post-Workshop Comments in the above-referenced dockets on behalf of its fifteen distribution and two generation and transmission member-cooperatives.<sup>1</sup>

**GENERAL COMMENTS ON PROPOSED  
RULE 25-6.304, STANDARD OF CONSTRUCTION**

FECA and its member-cooperatives share the Commission's desire to minimize the outages that will inevitably result from hurricanes, and we welcome the opportunity to work with staff to craft a rule that promotes improved system reliability. However, the rule must be crafted within the confines of the Commission's limited jurisdiction over cooperatives.

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<sup>1</sup> Alabama Electric Cooperative, Inc., Central Florida Electric Cooperative, Inc., CHELCO, Clay Electric Cooperative, Inc., Escambia River Electric Cooperative, Inc., Florida Keys Electric Cooperative Association, Inc., Glades Electric Cooperative, Inc., Gulf Coast Electric Cooperative, Inc., Okefenoke Rural Electric Membership Corporation, Peace River Electric Cooperative, Inc., Seminole Electric Cooperative, Inc., Sumter Electric Cooperative, Inc., Suwannee Valley Electric Cooperative, Inc., Talquin Electric Cooperative, Inc., Tri-County Electric Cooperative, Inc., West Florida Electric Cooperative, Inc., Withlacoochee River Electric Cooperative, Inc. Lee County Electric Cooperative is not represented by the undersigned counsel.

FECA's comments are directed only to the proposed amendments to Rule 25-6.034. As proposed, Sections 5 and 6 of amended Rule 25-6.034 would mandate that cooperatives expend tremendous amounts on new and modified overhead facilities, and either spend outrageous amounts on new and existing underground facilities or eliminate underground altogether in flood and surge prone areas. These increased costs for both underground and overhead construction will directly increase the rates that cooperatives must charge and will impact the cooperative's policies for Customer in Aid of Construction and Underground Differential charges. Regardless of any jurisdiction the Commission may or may not have under the Grid Bill, FECA believes the expenditures at issue are so significant that they would constitute ratemaking. Ratemaking falls exclusively within the discretion of each cooperative's governing board, and FECA believes the Commission should forgo exercising any jurisdiction that it may have over a cooperative's efforts to harden its facilities. Therefore, unless the proposed amendments to sections 5 and 6 are deleted or significantly modified, FECA recommends that cooperative utilities should continue to be excluded from Rule 25-6.034. This can be accomplished by deleting the following phrase from the end of proposed section 25-6.034(1): "including municipal electric utilities and rural electric cooperative utilities unless otherwise noted."

**SPECIFIC COMMENTS TO PROPOSED**  
**RULE 25-6.034, STANDARD OF CONSTRUCTION**

If cooperatives are not excluded from the Rule, FECA recommends the following changes to proposed Sections (1), (2), (5) and (6):

### Section (1)

Construction specifications for the majority of Florida's cooperatives are defined by the Rural Utilities Service ("RUS"), which is the federal agency that has expertise in the area of designing rural electric facilities. RUS borrowers are required by their loan covenants to comply with the RUS construction specifications. RUS' specifications have been developed over the years based upon RUS' extensive history with nearly 1000 electric cooperatives in the United States, and by adopting national standards of groups such as the American National Standards Institute, American Wood Preservers Association, various national engineering societies and the National Electrical Safety Code ("NESC"). FECA is concerned about potential conflicts between whatever standards the PSC may adopt under this rule and the cooperative's loan covenants.

**Recommendation - Either delete the first 3 lines of proposed Section 1 or clarify that cooperatives may utilize the RUS standards or other nationally recognized standards in lieu of any standards that the Commission adopts or defines.**

### Section (2)

The Commission clearly has authority to adopt the NESC for cooperatives as safety standards pursuant to Section 366.04(6), F.S., and in fact has adopted the NESC for all of the electric utilities in its Rule 25-6.0345. Adopting the NESC in Rule 25-6.034 would be redundant. In addition, adopting the NESC as a "construction standard" would be an inappropriate application of the NESC. The NESC expressly disclaims any use of the Code as a "design specification." Section 1.010 of the NESC states:

The purpose of these rules is the practical safeguarding of persons during the installation, operation, or maintenance of electric supply and communication lines and associated equipment. These rules contain basic provisions that are considered necessary for the safety of employees and the public under the specified conditions. **This code is not intended as a design specification or as an instruction manual. (Emphasis added)**

Moreover, as set forth above, FECA is concerned that any standards that may be adopted by the Commission could conflict with the standards imposed by RUS upon cooperatives. FECA is not aware of any state or organization that utilizes the NESC as a construction standard, and we believe it should not be so adopted by this Commission.

**Recommendation - Either delete this proposed Section or insert the following phrase prior to the word "minimum" on page page 3, line 12: "criteria to be incorporated into".**

#### Section (5)

In addition to the aforementioned jurisdictional issue, FECA questions whether it would be economically prudent to generically impose the extreme wind loading for poles and all other structures less than 60 feet for cooperatives or for any utility. For many electric cooperatives this would at least double<sup>2</sup> the cost per mile of line for new construction and would have a significant rate impact on our member-owners. Moreover, we believe that use of the extreme wind loading would do very little to prevent outages during hurricanes. During the 2004 and 2005 hurricane seasons, most of the poles owned by cooperatives that failed were the result of trees and flying debris hitting the poles or wires, not direct wind.

---

<sup>2</sup> Withlatchoochee River Electric Cooperative has estimated the cost of materials per mile of line for various applications of the 250B and 250C criteria in the NESC, which is attached as Exhibit A.



Many of the poles that failed due to wind were in fact built to meet the extreme wind loading, and we believe the extreme wind loading is not sufficient to protect a pole against all of the winds that a hurricane may generate. For most cooperatives, the number of poles that failed due to wind was so insignificant that the difference in the restoration time between the present criteria and the extreme wind criteria for distribution facilities would have been measured in hours, not days.

FECA believes that a more prudent approach to reducing interruptions is to allow utilities to selectively upgrade facilities that are critical for serving a large number of customers and, if prudent, to make some operational changes. Many cooperatives have become more aggressive with vegetation management<sup>3</sup> and most cooperatives are pursuing generator programs for large and critical loads. In many cases it is cheaper for the cooperative to provide a permanent or portable backup generator during restoration, either on the customer's site or at a substation, than it is to harden a system that may never experience hurricane force winds and may inevitably fail no matter how much you spend to reenforce it.

Cooperatives already have the discretion to build any facilities to meet or exceed the extreme wind criteria, and in some cases they have exercised this option on a targeted basis. At least one cooperative, the Florida Keys Electric Cooperative, has elected to build all of its facilities to meet the extreme wind standards. However, other cooperatives believe that

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<sup>3</sup> SB 980 passed out of the Legislature on May 3, 2006, and if it becomes law utilities will be empowered to better maintain vegetation around power lines.

the additional cost cannot be justified. FECA believes that cooperative Boards should be allowed to decide whether the extreme wind standard is justified for their particular circumstances and that proposed Section (5) should not apply to cooperatives.

**Recommendation: Either delete proposed Section (5), or clarify that it does not apply to cooperatives.**

### **Section (6)**

In addition to the aforementioned jurisdictional issue, FECA believes that it is not possible for a cooperative to “assure” that underground facilities in potential surge and flood areas can be protected. FECA is not aware of any practicable construction standards for underground electric facilities that are designed to withstand the surge of a hurricane. In the event that such standards are available and utilities can “assure” that their underground facilities will be protected from both flooding and storm surges, the cost of doing so may be cost-prohibitive.


If cooperatives cannot “assure” the protection of these facilities as required by the proposed rule, they will be placed in a precarious situation when trying to serve those communities that have mandated underground facilities. FECA believes that our member-owners and electric cooperative governing boards should retain the discretion to determine how and where underground facilities may be provided, but we are open to any suggestions as to how the facilities can be protected in flood and surge prone areas.

**Recommendation - If the Commission decides to pursue this provision, Section (6) should be amended to clarify that it does not apply to electric cooperatives. Alternatively, the words “assure”, “practicable”, and “protected” in lines 15 and 16 on page 4 need to be substantially softened.**

CONCLUSION

FECA thanks Staff for the opportunity to participate in the development of rules that give a utility the flexibility to enhance its electric facilities after careful cost/benefit analyses are considered and a determination is made by the utility that such enhancements are practical and cost-effective to all of the utility's customers. It is of utmost importance to each electric cooperative that its governing board of trustees and management retain discretion to make the necessary critical decisions to upgrade and bolster their facilities.

Respectfully submitted,



---

WILLIAM B. WILLINGHAM, ESQ.

(fecabill@earthlink.net)

MICHELLE HERSHEL, ESQ.

(mhershel@earthlink.net)

Florida Electric Cooperatives Association, Inc.

2916 Apalachee Parkway

Tallahassee, FL 32301

850.877.6166 (Telephone)

850.656.5485 (Facsimile)

Attorneys for the Florida Electric Cooperatives  
Association, Inc.

**EXTREME WIND LOADING COST COMPARISONS**

<b>Single Phase #2 AAAC</b>		
NESC Code	250B	250C
Pole Type	40/5 Wood	40/3 Wood
Span Length (ft)	450	270
Cost per Mile	\$ 36,694	\$ 60,378

<b>3 Phase 394 AAAC Single Circuit</b>			
NESC Code	250B	250C	250C
Pole Type	50/3 Wood	50/2 Wood	50/H2 Steel
Span Length (ft)	375	170	240
Cost per Mile	\$ 75,000	\$ 150,624	\$ 147,327

<b>3 Phase 740 AAAC Single Circuit</b>			
NESC Code	250B	250C	250C
Pole Type	50/3 Wood	50/2 Wood	50/H2 Steel
Span Length (ft)	300	140	200
Cost per Mile	\$ 95,815	\$ 185,494	\$ 179,597

<b>3 Phase 394 AAAC Double Circuit</b>			
NESC Code	250B	250C	250C
Pole Type	50/2 Wood	50/2 Wood	55/H3 Steel
Span Length (ft)	325	110	220
Cost per Mile	\$ 149,496	\$ 387,690	\$ 251,316

<b>3 Phase 740 AAAC Double Circuit</b>			
NESC Code	250B	250C	250C
Pole Type	50/2 Wood	50/2 Wood	55/H4 Steel
Span Length (ft)	250	90	200
Cost per Mile	\$ 198,091	\$ 479,739	\$ 297,468

ATTACHMENT B

To

DIRECT TESTIMONY OF WILLIAM B. WILLINGHAM



JEB BUSH  
GOVERNOR

STATE OF FLORIDA

## Office of the Governor

THE CAPITOL  
TALLAHASSEE, FLORIDA 32399-0001

[www.flgov.com](http://www.flgov.com)  
850-488-7146  
850-487-0801 fax

August 9, 2006

Reverend Paul W. Jennings  
1795 JA Forehand Road  
Bonifay, Florida 32450

Dear Reverend Jennings:

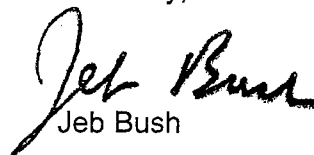
Thank you for your recent letter. I appreciate your asking for my help.

Co-ops are non-profit utilities that are owned by the customer-members they serve and are not regulated by state government. To further assist you, I have forwarded your letter to Bill Willingham, Executive Vice President of the Florida Electric Cooperative Association, for his review.

The person who could best answer your legal questions would be an attorney. If you need assistance in locating a lawyer, please call the Florida Bar's Attorney Referral Service toll-free at 1-800-342-8011. Those with limited financial resources should consider contacting their local legal aid office or foundation for assistance.

Thank you again for sharing your concerns with me. If I can assist you with a state government matter, I hope you will let me know.

Sincerely,

  
Jeb Bush

JB/cas/rn

cc/enc: Mr. Bill Willingham, Executive Vice President ✓  
Florida Electric Cooperative Association  
2916 Apalachee Parkway  
Tallahassee, Florida 32301  
(850) 877-6166



CAS-RTN

7/10/06 OFFICE OF THE GOVERNOR  
CITIZEN SERVICES  
06 JUL 14 PM 4:2

Governor Jeb Bush  
Office of the Governor  
The Capitol, Tallahassee Florida  
32399-0001

Dear Sir,

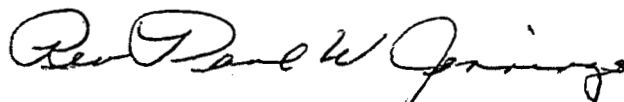
The West Fl Electric is coming down JA Forehand Rd. and cutting down most of the beautiful hardwood trees on both sides of residents property. The owners have no say in this matter. Owners rights are gone and destruction of our land is out of control.

It is a constant fight to keep people from claiming more road frontage and power company from taking complete control of what they want.

We have beautiful wild birds and would like to know what can be done to save our property, trees and environment?

A retreat center is planned for the property. Any help (and as soon as possible, the power company has already contracted trees trimmers/cutters) that that you may give is deeply appreciated.

Thank you



Rev. Paul W. Jennings  
1795 JA Forehand Rd.  
Bonifay, FA. 32450

#611729 Jennings, Paul  
Recd: 7/17/2006 DEO: JAJ  
To: CAS-N/A-RTN -- PLEASE HANDLE  
Due: 7/31/2006

West Florida Electric Cooperation  
Mr. William S. Rimes  
President & Chief Executive Office  
5282 Peanut Rd.  
Graceville, Fl. 32440-0127

7/8/06

Dear Sir,

Ref: A Church Property owned by the Church of Plilip the Evangelist. @  
1795 J.A. Forehand Rd.

Legal Description: E ½ of S.W. ¼ of Section 28 Township 6 North, Range 15 West.

Your primary transmission electric line comes off the road right of way near the North east corner of this posted property - crosses this posted property - then returns to the right of way near the south east corner.

Does West Fl. Electric Coop have a written legal easement across this property? If not please instruct the crews at West Fl. Electric to remove this primary transmission line and poles as soon as possible, at Coop expense.

Also instruct any coop contractors to not trespass upon this posted property in any way with any equipment.

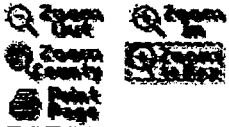
Your earliest attention this matter is appreciated.

Thank you

Rev. Paul W. Jennings  
1795 J A Forehand Rd.  
Bonifay, Fl. 32450

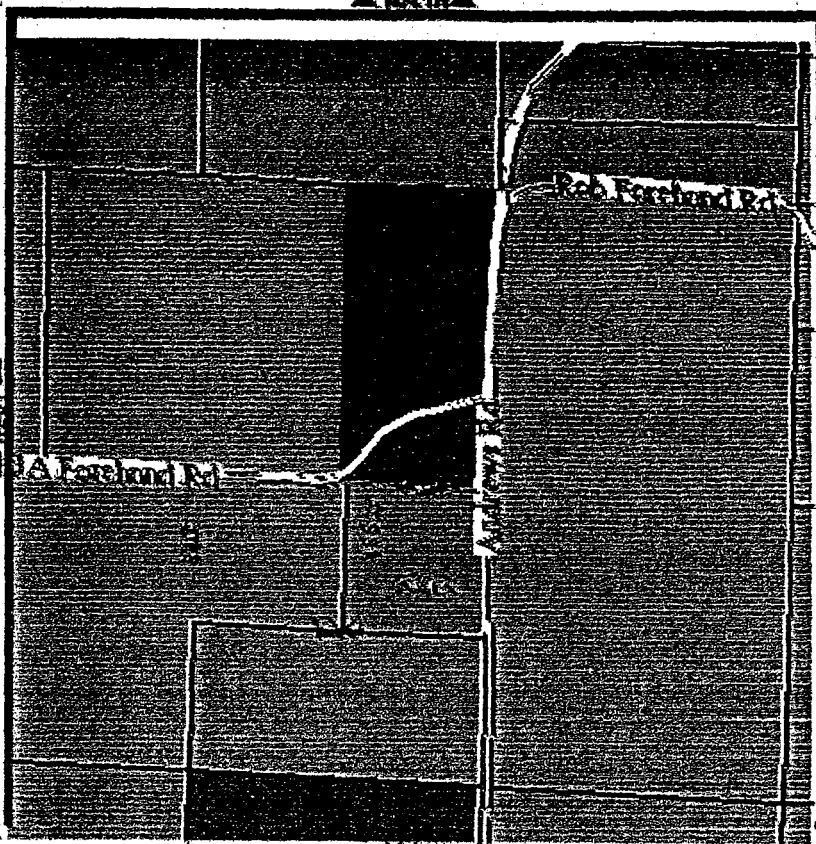


Map Help Click Here



Show:

- Roads
- Dimensions
- Yearly Sales
- Sales for year:
  - 2004
  - 2005
  - 2006
- Subdivisions
- Lot Lines
- Last 3 Parcel Digits



PARCEL INFORMATION TABLE		
Selected Parcel	0828.00-000-000-011.300 (Click for Complete Card)	
Property Use	PASTURE	
Acres	20.00	
Land Use	T6 IMP U	
OWNERSHIP INFORMATION		
Name	THE CHUR OF PHILIP THE	
Mailing Address	EVANGELI OF SANTA ROSA BEA 111 DOLPHIN DRIVE SANTA RC BEACH, FL 32439	
Situs Address		
VALUES		
Land Value	3,200	
Agricultural Value	2,811	
Building Value	60,785	
Misc Value	16,241	
Classified Value	83,037	
Assessed Value	75,602	
Exempt Value	25,000	
Taxable Value	50,602	
Homesteaded	N	
LAST 2 SALES		
Date	Price	Vacant?
03-2003	77,500	N
03-2005	77,500	N

The Holmes County Property Assessment Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, it's use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.

APPRAISER HOME ----- RETURN TO SEARCH PAGE

ATTACHMENT C

To

DIRECT TESTIMONY OF WILLIAM B. WILLINGHAM

COMMISSIONERS:  
 LISA POLAK EDGAR, CHAIRMAN  
 J. TERRY DEASON  
 ISILIO ARRIAGA  
 MATTHEW M. CARTER II  
 KATRINA J. TEW

## STATE OF FLORIDA



TAMPA DISTRICT OFFICE  
 4950 W. KENNEDY BLVD.  
 SUITE 310  
 TAMPA, FLORIDA 33609  
 (813) 356-1444

## Public Service Commission

*John E*

August 21, 2006

Mr. L. T. Todd, Jr.  
 General Manager  
 Glades Electric Cooperative, Inc.  
 P. O. Box 519  
 Moore Haven, Florida 33471-0519

**CERTIFIED MAIL**  
**7005 0390 0006 2874 9903**

**Re: Compliance with Commission Rule 25-6.0345, Safety Standards for Construction**

Dear Mr. Todd:

A selected sample of the 2nd and 3rd quarters of 2005 was taken from the list of work orders submitted to the Commission. An evaluation of the electric system construction was made from this sample and completed during July, 2006.

This evaluation was conducted to verify compliance with Commission Rule 25-6.0345, Florida Administrative Code, which adopts the 2002 National Electrical Safety Code as the standard for electric utility construction. Variances from the Code were identified and are listed in the enclosed document.

A written response to this notice of safety variances is required by September 25, 2006. The response must state the anticipated date of correction and the remedial measures that will be taken to prevent future recurrences of the variance. The Commission also requires notification when the corrective action has been completed, and certification that it complies with the National Electrical Safety Code. Send the response to this variance notice and the subsequent completion notification and certification to me at the address in the upper right hand corner of this letter. Response via e-mail to [aveluzqu@psc.state.fl.us](mailto:aveluzqu@psc.state.fl.us) is also acceptable.

If you have questions regarding the enclosed variances you can contact the inspecting Engineer, Francisco Paez at (305) 470-6907, or me at (813) 356-1432.

Sincerely,

*Tony Velazquez*

Tony Velazquez, Electric Safety Supervisor  
 Bureau of Safety

Enclosure

cc: Dan Hoppe, Director, Division of Regulatory Compliance & Consumer Assistance, w/o enclosures  
 C. Edward Mills, Chief, Bureau of Safety, w/o enclosures  
 Francisco Paez, Engineering Specialist III, Bureau of Safety, w/o enclosures

DATE: 08/15/2006

UTILITY: GEC QUARTER: 2 YEAR: 2005

INSPECTED BY: FRANCISCO PAEZ MONTH: JULY YEAR: 2006

REQUEST

#	WORK ORDER	TYPE OF VARIANCE	LOCATION OF VARIANCE
40490 rNum: 052374	CATV 1)11496 CLICK RD A)NESC#234B1 CATV NEEDS TO ATTACH TO POLE.		11496 CLICK RD. GLADES
41089 rNum: 052375	FPL 1)ACROSS THE STREET FROM 102 ROSEMARY AVE A)NESC#218A GLADE CO. NEEDS TO TRIM TREE LIMBS IN PRIMARY.		ACROSS THE STREET FROM 102 ROSEMARY AVE GLADES
30461 rNum: 052499	GEC 1)F/O 3320 RIVERSIDE DR. A)NESC#214B3 GEC NEEDS TO REMOVE OLD POLE AFTER CATV TRANSFER FACILITIES TO NEW POLE. CATV 1)F/O 3320 RIVERSIDE DR. NESC#214B3 CATV NEEDS TO TRANSFER CABLE AND DOWN GUY TO NEW POLE.		3320 RIVERSIDE DR. GLADES

UTILITY: GEC  
INSPECTED BY: FRANCISCO PAEZ  
REQUEST

QUARTER: 3  
MONTH: JULY

YEAR: 2005  
YEAR: 2006

#	WORK ORDER	TYPE OF VARIANCE	LOCATION OF VARIANCE
50658	GEC		V/O POTTER RD GLADES

TYPE OF VARIANCE

LOCATION OF VARIANCE

1)F/O PROPERTY  
MAP#463-4-32-0-038  
A)NESC#93D3

GROUND WIRE IS NOT SNUG TO POLE  
(NEAR BOTTOM OF POLE.)

51003  
rNum: 052381

TELEPHONE  
1)2248 WOLF CREEK RD  
A)NESC#234B1

2248 WOLF CREEK RD  
GLADES

TELEPHONE NEEDS TO TRANSFER CABLE FROM TREES TO POLE.