

**Marguerite McLean**

100459-EI

**From:** Samantha Cibula  
**Sent:** Wednesday, April 11, 2012 8:41 AM  
**To:** Ann Cole; Marguerite McLean; Hong Wang  
**Subject:** Appeal Case Schedule for Docket No. 100459-EI  
**Attachments:** 100459CourtCaseSchedule.smc.doc

**FPSC, CLK - CORRESPONDENCE**  
**✓ Administrative Parties Consumer**  
**DOCUMENT NO. 09969-10**  
**DISTRIBUTION: \_\_\_\_\_**

Please find attached the appeal case schedule for Florida Supreme Court Case No. SC12-649 (Docket No. 100459-EI). This memo is being provided to you for informational purposes only.

State of Florida



## Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** May 9, 2012  
**TO:** Ann Cole, Commission Clerk, Office of Commission Clerk  
**FROM:** Samantha M. Cibula, Attorney Supervisor, Office of the General Counsel  
**RE:** Docket No. 100459-EI – City of Marianna v. Florida Public Service Commission, Florida Supreme Court Case No. SC12-649.

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Please note that the above appeal has been assigned to Kathryn Cowdery. The Notice of Administrative Appeal was filed on March 7, 2012, with the Florida Supreme Court, and on March 19, 2012, with the Commission. The case schedule, which is based on the March 7, 2012, court filing date, is as follows:

DATE	ITEM
April 12, 2012	Draft of Index of Record from Clerk to Appeals Attorney
April 26, 2012	Index of Record Served on Parties
May 7, 2012	Copy of Record to Appeals
May 16, 2012	Appellant's Initial Brief Due
June 5, 2012	Commission's Answer Brief Due
June 25, 2012	Appellant's Reply Brief Due
June 25, 2012	Clerk Transmits Record to Court

SMC

**Matilda Sanders**

PSC-12-0066 - FOF - E1

100459-E1

From: Terry Holdnak  
 Sent: Friday, February 10, 2012 8:18 AM  
 To: CLK - Orders / Notices  
 Cc: Lisa Bennett; Shalonda Hopkins  
 Subject: Order / Notice Submitted

Date and Time: 2/10/2012 8:16:00 AM  
 Docket Number: 100459-E1  
 Filename / Path: 100459.Final Order.lcb.doc

11

**ORDER DISMISSING CITY OF MARIANNA'S PROTEST**

Docket No. 100459-E1

*Terry K. Holdnak*  
 Commission Deputy Clerk II  
 Office of the General Counsel  
 Florida Public Service Commission  
 850-413-6738

FAXED - 1  
 MAILED - 0  
 EMAILED - 7

FPSC, CLK CORRESPONDENCE		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. 09969-10		
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**FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 100459**

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
City of Marianna		deanj@cityofmarianna.com	No
comverge		sfay@comverge.com	No
Florida Public Utilities Company		cyoung@fpuc.com	No
Gunster Law Firm (10)		BKeating@gunster.com	No
Office of Public Counsel (10d)		KELLY.JR@leg.state.fl.us	No
Young Law Firm (11)		schef@bwlegal.com	No

**Commission Clerk**

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**Subject:** FPSC E-service of Document NO. 00835-12 in Docket 100459-EI (Email ID = 835538)

The document described below has been issued by the Florida Public Service Commission and filed with the Office of Commission Clerk. As a party of record at the time of issuance or, if applicable, an interested person, you are being provided this information electronically.

Should you have any problems accessing this document, please contact the Office of Commission Clerk by reply e-mail. Do not alter the subject line, as it is used for processing.

<b>DOCUMENT NO.</b>	<b>DESCRIPTION</b>
<u>00835-12 (11 pgs.)</u>	Order PSC-12-0066-FOF-EI granting FPUC's motion to dismiss City of Marianna's amended protest; dismissing City of Marianna's amended protest, with prejudice; deeming Order PSC-11-0112-TRF-EI final and effective.

# Docket Index for January 24, 2012, Commission Conference Agenda

- **PLEASE NOTE:** This list is assembled for the administrative convenience of CLK personnel and does not represent the final agenda product. Persons who rely on this list for any purpose do so at their own risk.

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- 2. 110041-EI
- ✓3. 100459-EI
- 4. 110071-TP
- 5. 110272-EU
- 6. 110305-EI
- 7. 110306-TP
- 8. 110312-EQ
- 9. 110207-EI
- 10. 110320-GU
- 11. 120005-WS

FPSC, CLK - CORRESPONDENCE  
 Administrative Parties Consumer  
 DOCUMENT NO. 09969-10  
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MEP  
 GOV. OFFICIALS  
 Lake Co  
 110272-EI

**FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES**

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
Alturas Utilities, L.L.C.	WU871	utilityconsultant@yahoo.com	Yes
Anglers Cove West, Ltd.	WS817	baltman@centurycompanies.net	Yes
Aqua Utilities Florida, Inc.	SU821	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS688	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS768	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS798	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS880	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS881	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS883	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS884	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS885	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS886	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS887	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS888	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS938	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WU174	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WU787	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WU879	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WU882	WTRendell@aquaaamerica.com	Yes
AT&T Florida	TL720	greg.follensbee@att.com	No
AT&T Florida (f/k/a BellSouth Telecommunications) (11agr)		greg.follensbee@att.com	No
BFF Corp.	SU595	charlie@alternativephone.com	Yes
Black Bear Reserve Water Corporation	WU940	blackbearwater@gmail.com	Yes
Brendenwood Utilities, LLC.	WU951	gpcconnollyjr@gmail.com	Yes
C & H Utilities, Inc.	WU649	shortutility@embarqmail.com	Yes
C.F.A.T. H2O, Inc.	WS719	charlie@alternativephone.com	Yes
Camachee Cove Yacht Harbor Utility	WU927	marlene.camachee@comcast.net	Yes
Cedar Acres Inc	WU917	DavidJSimons@aol.com	Yes
Central Sumter Utility Company, L.L.C.	WS897	John.wise@thevillages.com	Yes
Century Estates Utilities, Inc.	WU725	jlinartas@yahoo.com	Yes
CHC VII, Ltd.	WS816	baltman@centurycompanies.net	Yes
City of Marianna		deanj@cityofmarianna.com	No
Colina Bay Water Company, LLC	WU900	shelley@reserveinvest.com	Yes
Commercial Utilities, Division of Grace and Company, Inc.	WS090	Incgrace@aol.com	Yes
comverge		sfay@comverge.com	No
Continental Utility, Inc.	WS606	gm@continentalcountryclub.com	Yes
Coral Cay Water & Sewer Company	WS731	coral_cay_manager@equitylifestyle.com	Yes
Country Club Utilities, Inc.	WS654	rgregharris@gmail.com	Yes
County-Wide Utility Co., Inc.	WU008	countywide@leewardairranch.com	Yes
Crestridge Utility Corporation	WU049	countrygirl@svs.net	Yes
CWS Communities LP	WU839	Mmathisen@HometownAmerica.com	Yes
Cypress Lakes Utilities, Inc.	WS800	pcflyn@uiwater.com	Yes
Damon Utilities, Inc.	WS551	damonutilities@embarqmail.com	Yes
East Central Florida Services, Inc.	WU643	jpayne@ari-slc.com	Yes
Express Phone Service		tom@dei.gccoxmail.com	No
Farmton Water Resources LLC	WU859	mabfarmton@hughes.net	Yes
FIMC Hideaway, Inc.	WS652	jandrmcbride@cox.net	Yes
FL - CLEC LLC		michelle.salisbury@crowncastle.com	No
FLATEL, Inc.	TX164	AMatari@Flatel.net	No
Florida Power & Light Company (11b)		Ken.Hoffman@fpl.com	No
Florida Power & Light Company (Juno 11g)		Will.Cox@fpl.com	No
Florida Public Utilities Company		tgeoffroy@cfgas.com	No
Florida Public Utilities Company (11)		tgeoffroy@cfgas.com	No

**FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES**

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
Forest Utilities, Inc.	SU293	forestu@aol.com	Yes
Fountain Lakes Sewer Corp.	SU572	maryjo.kelly@k-a-c.com	Yes
Four Lakes Golf Club, Ltd.	WS815	baltman@centurycompanies.net	Yes
Francis I Utility, L.L.C.	SU858	kasi@francisone.com	Yes
Gold Coast Utility Corp.	WS899	burkimwater@aol.com	Yes
Grenelefe Resort Utility, Inc.	WS770	bryon_smith@wgresorts.com	Yes
Gulf Power Company	EI804	sdriteno@southernco.com	No
Gunster Law Firm (10)		BKeating@gunster.com	No
Gunster Law Firm (10Keating)		BKeating@gunster.com	No
Gunster Law Firm (11Keating)		bkeating@gunster.com	No
Harbor Hills Utilities, L.P.	WU727	arich@harborhills.com	Yes
Hash Utilities, LLC	WU950	marshall@hash.com	Yes
Hidden Cove, Ltd.	WS814	baltman@centurycompanies.net	Yes
Holiday Gardens Utilities, Inc.	WU109	countrygirl@svs.net	Yes
HV Utility Systems, L.L.C.	SU866	ken_kroot@equitylifestyle.com	Yes
Indiantown Company, Inc.	WS120	maryannh@itstelecom.net	Yes
Joyland Water System	WU711	yarm4.1.1@netzero.net	Yes
K W Resort Utilities Corp.	SU336	chriskw@bellsouth.net	Yes
Keefe Law Firm (10a)		vkaufman@kagmlaw.com	No
L W V Utilities, Inc.	WU135	water@fastestserver.com	Yes
Labrador Utilities, Inc.	WS851	pcflyn@uiwater.com	Yes
Lake Placid Utilities, Inc.	WS709	pcflyn@uiwater.com	Yes
Lake Utility Services, Inc.	WS641	pcflyn@uiwater.com	Yes
Lake Utility Services, Inc.	WU553	pcflyn@uiwater.com	Yes
Lake Yale Treatment Associates, Inc.	WS823	Qty555@aol.com	Yes
Lighthouse Utilities Company, Inc.	WU533	luci@gtcom.net	Yes
Macfarlane Law Firm (11)		aw@macfar.com	No
Marion Utilities, Inc.	WS160	marionutl@aol.com	Yes
Mayor, City of Clermont		jwarren@clermontfl.org	Yes
Mayor, City of Eustis		eustiscm@eustis.org	Yes
Mayor, City of Fruitland Park		fruitlnd@atlantic.net	Yes
Mayor, City of Groveland		Richard.Smith@groveland-fl.gov	Yes
Mayor, City of Mascotte		felix.ramirez@cityofmascotte.com	Yes
Mayor, City of Mount Dora		citymgr@ci.mount-dora.fl.us	Yes
Mayor, Town of Montverde		mayor@mymontverde.com	Yes
McLeod Gardens Water Company	WU841	lauravgriffith@aol.com	Yes
Mid-County Services, Inc.	SU291	pcflyn@uiwater.com	Yes
Mountain Lake Corporation	WU791	BMARTIN@mountainlakecc.com	Yes
Neighborhood Utilities, Inc.	WU383	wlarryo@hotmail.com	Yes
Ni Florida, LLC	SU915	ewallace@niamerica.com	Yes
Ni Florida, LLC	WU920	ewallace@niamerica.com	Yes
North Beach Utilities, Inc.	WS926	nbutilities@bellsouth.net	Yes
North Peninsula Utilities Corporation	SU615	developershw@gmail.com	Yes
Northgate Properties, Inc.	WS172	rnorthgateprope@cfl.rr.com	Yes
Oak Springs, LLC	WU875	mvres1@msn.com	Yes
Office of Public Counsel (10d)		KELLY.JR@leg.state.fl.us	No
Office of Public Counsel (12b)		reilly.steve@leg.state.fl.us	No
Orange Blossom Utilities, Inc.	WS912	nancy.roach@ymail.com	Yes
Orange Lake	WS892	gmorse4@tampabay.rr.com	Yes
Orangedale Utilities, Inc.	WS935	hdwrhr@yahoo.com	Yes
Orangewood Lakes Services, Inc.	WS180	angela@floridacomunities.com	Yes
Palm Valley Utilities	WS832	sseyffart@hometownamerica.net	Yes
Park Water Company	WU776	parkwaterco@aol.com	Yes
Parkland Utilities, Inc.	WS189	PUI@bellsouth.net	Yes



**FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES**

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
Peoples Gas System	GU608	Regdept@tecoenergy.com	No
Peoples Water Service Company of Florida, Inc.	WU671	sgillet@peopleswater.net	Yes
Pine Harbour Water Utilities, LLC	WU921	pineharbourwater@aol.com	Yes
Pine Island Cove Homeowners Association, Inc.	SU724	picoveha@comcast.net	Yes
Pinecrest Ranches, Inc.	WU779	ginger00317@msn.com	Yes
Placid Lakes Utilities, Inc.	WU193	pambrewer@embarqmail.com	Yes
Plantation Bay Utility Co.	WS479	dross@icihomes.com	Yes
Plantation Landings, Ltd.	WS813	baltman@centurycompanies.net	Yes
Pluris Wedgefield, Inc.	WS929	kpratt@pluriscompanies.com	Yes
Raintree Utilities, Inc.	WU663	fred@raintreeutilities.com	Yes
Regency Utilities, Inc.	WS919	mfriedman@rsbattorneys.com	Yes
Residential Water Systems, Inc.	WU370	charlie@alternativephone.com	Yes
Royal Utility Company	WS570	info@royalutility.com	Yes
S & L Utilities, Inc.	SU327	teresafletcher@cox.net	Yes
S. V. Utilities, Ltd.	WS812	baltman@centurycompanies.net	Yes
Sanlando Utilities Corporation	WS397	pcflyn@uiwater.com	Yes
Service Management Systems, Inc.	WS571	dennis@dbasile.com	Yes
Shangri-La by the Lake Utilities, Inc.	WS728	jaylaura6@msn.com	Yes
Silver Lake Utilities, Inc.	WS907	Joe.Collins@LykesRanch.com	Yes
Southlake Utilities, Inc.	WS638	wjdeaspa@bellsouth.net	Yes
St. John's River Club Utility Company, LLC	WS906	rachelwachs@aol.com	Yes
Stone & Gerken, P.A. (11)		lewis@stoneandgerken.com	No
Sun Communities Operating Limited Partnership	WS746	jhoekstra@suncommunities.com	Yes
Sun River Utilities, Inc.	WS922	oldbridge9@aol.com	Yes
Sunny Shores Water Co., Inc.	WS754	jdsswc@tampabay.rr.com	Yes
Sunrise Utilities, LLC	WU870	utilityconsultant@yahoo.com	Yes
Tampa Electric Company	EI806	Regdept@tecoenergy.com	No
TBBT Utility LLC	WS918	mooney1325@yahoo.com	Yes
Tierra Verde Utilities, Inc.	SU682	pcflyn@uiwater.com	Yes
Timberwood Utilities	WS896	davbolling@aol.com	Yes
TLP Water, Inc.	WU924	TLPWATERINC@GMAIL.COM	Yes
Town & Country Utility	SU904	cdesanti@kitsonpartners.com	Yes
Town & Country Utility	WU811	cdesanti@kitsonpartners.com	Yes
Tradewinds Utilities, Inc.	WS350	charlie@alternativephone.com	Yes
Tymer Creek Utilities, Incorporated	WS246	tymercreekutil@aol.com	Yes
Useppa Island Utility, Inc.	WS249	tfitz5@comcast.net	Yes
Utilities, Inc. of Eagle Ridge	SU749	pcflyn@uiwater.com	Yes
Utilities, Inc. of Florida	SU640	pcflyn@uiwater.com	Yes
Utilities, Inc. of Florida	SU661	pcflyn@uiwater.com	Yes
Utilities, Inc. of Florida	WS251	pcflyn@uiwater.com	Yes
Utilities, Inc. of Florida	WU372	pcflyn@uiwater.com	Yes
Utilities, Inc. of Florida	WU413	pcflyn@uiwater.com	Yes
Utilities, Inc. of Florida	WU443	pcflyn@uiwater.com	Yes
Utilities, Inc. of Florida	WU628	pcflyn@uiwater.com	Yes
Utilities, Inc. of Longwood	SU761	pcflyn@uiwater.com	Yes
Utilities, Inc. of Pennbrooke	WS861	pcflyn@uiwater.com	Yes
Utility Corporation of Florida, Inc.	SU916	lmschlabach@aol.com	Yes
W.B.B. Utilities, Inc.	WU639	bairport@comcast.net	Yes
Water Management Services, Inc.	WS236	gdb5@comcast.net	Yes
Water Oak Utility	WS755	jhoekstra@suncommunities.com	Yes
West Lakeland Wastewater, Inc.	SU836	utilityconsultant@yahoo.com	Yes
Windstream Utilities Company	WU385	dlouhy@embarqmail.com	Yes
Young Law Firm (10)		swright@yvlaw.net	No
Young Law Firm (11)		swright@yvlaw.net	No

**FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES**

<b>PARTY NAME</b>	<b>COMPANY CODE</b>	<b>EMAIL ADDRESS</b>	<b>ADDRESS IN MASTER COMMISSION DIRECTORY</b>
Zachary Taylor Camping and Lodge, Inc.	SU876	Info@FLRVResort.com	Yes

# FLORIDA PUBLIC SERVICE COMMISSION

## COMMISSION CONFERENCE AGENDA

**CONFERENCE DATE AND TIME:** Tuesday, January 24, 2012, 9:30 a.m.

**LOCATION:** Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148

**DATE ISSUED:** January 12, 2012

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### NOTICE

Persons affected by Commission action on certain items on this agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at this conference. These items are designated by double asterisks (\*\*) next to the agenda item number.

To participate informally, affected persons need only appear at the agenda conference and request the opportunity to address the Commission on an item listed on agenda. Informal participation is not permitted: (1) on dispositive motions and motions for reconsideration; (2) when a recommended order is taken up by the Commission; (3) in a rulemaking proceeding after the record has been closed; or (4) when the Commission considers a post-hearing recommendation on the merits of a case after the close of the record. The Commission allows informal participation at its discretion in certain types of cases (such as declaratory statements and interim rate orders) in which an order is issued based on a given set of facts without hearing.

See Rule 25-22.0021, F.A.C., concerning Agenda Conference participation and Rule 25-22.0022, F.A.C., concerning oral argument.

Agendas, staff recommendations, vote sheets, transcripts, and conference minutes are available from the PSC Web site, <http://www.floridapsc.com>, by selecting *Agenda & Hearings* and *Agenda Conferences of the FPSC*. By selecting the docket number, you can advance to the *Docket Details* page and the Document Index Listing for the particular docket. If you have any questions, contact the Office of Commission Clerk at (850) 413-6770 or e-mail the clerk at [Clerk@psc.state.fl.us](mailto:Clerk@psc.state.fl.us).

In accordance with the American with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1-800-955-8770 (Voice) or 1-800-955-8771 (TDD), Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

The Commission Conference has a live video broadcast the day of the conference, which is available from the PSC's Web site. Upon completion of the conference, the video will be available from the Web site by selecting *Agenda and Hearings* and *Audio and Video Event Coverage*.

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Agenda for  
Commission Conference  
January 24, 2012

**ITEM NO.**

**CASE**

1\*\*

**Consent Agenda**

PAA

A) Request for Cancellation of Certificates of Authority to Provide Telecommunications Service.

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>	<u>CERT. NO.</u>	<u>EFFECTIVE DATE</u>
110318-TP	FL - CLEC LLC	8705	12/09/2011
	FL - CLEC LLC	8706	12/09/2011

**Recommendation:** The Commission should approve the action requested in the docket referenced above and close this docket.

**ITEM NO.**

**CASE**

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2                    **Docket No. 110041-EI** – Petition for approval of Amendment No. 1 to generation services agreement with Gulf Power Company, by Florida Public Utilities Company.

**Critical Date(s):** PPA Amendment is expressly conditioned upon the receipt of an approval order by March 31, 2012.

**Commissioners Assigned:** All Commissioners  
**Prehearing Officer:**            Brisé

**Staff:** GCL: Robinson  
          RAD: Graves, Ma  
          ECR: Draper, Lee, Lester

**(Oral Argument Requested. Participation at the Commission's discretion.)**

**Issue 1:** Should the Commission grant FPUC and City of Marianna's requests for oral argument?

**Recommendation:** Yes. The Commission should grant FPUC and the City of Marianna's requests for oral argument. Oral argument should be limited to 5 minutes per party.

**Issue 2:** Should FPUC's Motion to Dismiss the City of Marianna's petition for formal hearing be granted?

**Recommendation:** Yes. The Commission should grant FPUC's Motion to Dismiss the City of Marianna's petition for formal hearing without prejudice.

**Issue 3:** Should the docket be closed?

**Recommendation:** Yes. If the Commission agrees with staff regarding Issue 2, then the City of Marianna's Petition Protesting Proposed Agency Action Order No. PSC-11-0269-PAA-EI and Requesting Formal Proceeding should be dismissed without prejudice. The docket should be closed, and a Consummating Order should be issued reviving Order No. PSC-11-0269-PAA-EI and making it final and effective.

**ITEM NO.**

**CASE**

3\*\*

**Docket No. 100459-EI** – Petition for authority to implement a demonstration project consisting of proposed time-of-use and interruptible rate schedules and corresponding fuel rates in the Northwest Division on an experimental basis and request for expedited treatment, by Florida Public Utilities Company.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Balbis

**Staff:** GCL: Bennett

ECR: Draper, Lee

**(Oral Argument Requested.)**

**Issue 1:** Should the Commission grant the City of Marianna and FPUC's requests for oral argument?

**Recommendation:** Yes. The Commission should grant the requests for oral argument. Oral argument should be limited to 5 minutes per side.

**Issue 2:** Should FPUC's Motion to Dismiss the City of Marianna's petition for formal hearing be granted?

**Recommendation:** Yes. FPUC's Motion to Dismiss should be granted, with prejudice. The City has not pled facts sufficient to demonstrate that it has suffered an injury in fact or that the nature of these proceedings is designed to protect any injury the City has alleged. Moreover, the amended petition does not comply with Rule 28-106.201, F.A.C., because it does not contain "an explanation of how the petitioner's substantial interests will be affected by the agency determination," nor does it contain "a concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant a reversal or modification of the agency's proposed action." Proposed Agency Action Order, Order No. PSC-11-0112-TRF-EI should be deemed final and effective.

**Issue 3:** Should the docket be closed?

**Recommendation:** Yes. If the Commission agrees with staff regarding Issue 2, then the City of Marianna's Amended Petition Protesting Proposed Agency Action Order No. PSC-11-0112-TRF-EI should be dismissed with prejudice. Order No. PSC-11-0112-TRF-EI should become final and effective.

**ITEM NO.**

**CASE**

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4\*\*

**Docket No. 110071-TP** – Emergency Complaint of Express Phone Service, Inc. against BellSouth Telecommunications, Inc. d/b/a AT&T Florida regarding interpretation of the parties' interconnection agreement.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Balbis

**Staff:** GCL: Tan

RAD: King

**Issue 1:** Should the Commission acknowledge Express Phone Service's December 27, 2011, Notice of Voluntary Dismissal without Prejudice?

**Recommendation:** Yes, the Commission should acknowledge Express Phone's December 27, 2011, Notice of Voluntary Dismissal without Prejudice.

**Issue 2:** Should this docket be closed?

**Recommendation:** Yes. If Issue 1 is approved, there is nothing further for the Commission to consider in this docket. Therefore, staff recommends that Docket No. 110071-TP be closed.



**ITEM NO.**

**CASE**

---

5\*\*PAA

**Docket No. 110272-EU** – Joint petition for approval of a territorial agreement in Lake County between City of Leesburg, a Florida municipality and Sumter Electric Cooperative, Inc., a Florida Cooperative.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Brisé

**Staff:** GCL: Barrera

ECR: Rieger

**Issue 1:** Should the Commission approve the joint petition of a territorial agreement in Lake County between Leesburg and SECO?

**Recommendation:** Yes. The joint petition of a territorial agreement between Leesburg and SECO should be approved.

**Issue 2:** Should this docket be closed?

**Recommendation:** Yes. If no person whose substantial interests are affected files a protest to the Commission's proposed agency action order within 21 days, the docket may be closed upon issuance of a consummating order.

**ITEM NO.**

**CASE**

---

6\*\*PAA

**Docket No. 110305-EI** – Initiation of formal proceedings of Complaint No. 1006767E of Edward McDonald against Tampa Electric Company, for alleged improper billing.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Balbis

**Staff:** GCL: Robinson

ECR: Draper

SRC: Forsman, Hicks

**Issue 1:** Should the Commission grant Mr. McDonald the relief sought in his petition?

**Recommendation:** No. Staff recommends that the Commission deny Mr. McDonald's petition as it does not demonstrate that (1) TECO's attempt to collect the \$915.94 violates any statutes, rules, or Orders; (2) TECO's calculation of the \$915.94 is incorrect; and (3) TECO is liable for the \$3,500 that the bank recalled because Mr. McDonald made the payments from his mother's account without proper authorization.

**Issue 2:** Should the docket be closed?

**Recommendation:** Yes. If no person whose substantial interests are affected files a protest to the Commission's proposed agency action order within 21 days, the docket should be closed upon issuance of a consummating order.

**ITEM NO.**

**CASE**

---

7

**Docket No. 110306-TP** – Request for emergency relief and complaint of FLATEL, Inc. against BellSouth Telecommunications, Inc. d/b/a AT&T Florida to resolve interconnection agreement dispute.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Balbis

**Staff:** GCL: Robinson

RAD: Hawkins, Lowery

**(Oral Argument not Requested. Participation at Commission's Discretion.)**

**Issue 1:** Should the Commission grant AT&T Florida's Motion to Dismiss?

**Recommendation:** Yes. Staff recommends that the Commission grant AT&T Florida's dismissal motion, as the Commission lacks authority to grant an injunction, and further, FLATEL's petition is moot.

**Issue 2:** Should the docket be closed?

**Recommendation:** Yes. If the Commission agrees with staff's recommendation for issue 1, then FLATEL's petition should be dismissed without prejudice and the docket should be closed.

**ITEM NO.**

**CASE**

---

8\*\*

**Docket No. 110312-EQ** – Petition for approval of renewable energy tariff and standard offer contract, by Florida Power & Light Company.

**Critical Date(s):** 01/26/12 (60-Day Suspension Date)

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Administrative

**Staff:** RAD: Garl, Brown

ECR: A. Roberts

GCL: Robinson

**Issue 1:** Should the Commission suspend the revised renewable energy tariff filed by FPL?

**Recommendation:** Yes. The Commission should suspend the revised renewable energy tariff filed by FPL.

**Issue 2:** Should this docket be closed?

**Recommendation:** No. If the Commission approves Issue 1, this docket should remain open to allow staff adequate time to review the petition and make a recommendation to the Commission on the merits of the petition.

**ITEM NO.**

**CASE**

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9\*\*PAA

**Docket No. 110207-EI** – 2011 depreciation study by Florida Public Utilities Company.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Brown

**Staff:** ECR: L'Amoreaux, Wu, Cicchetti

GCL: Brown

**Issue 1:** Should the current depreciation rates for Florida Public Utilities Company be changed?

**Recommendation:** Yes. A review of the Company's plans and activities indicates a need for a revision to the currently prescribed depreciation rates.

**Issue 2:** What should be the implementation date for revised depreciation rates?

**Recommendation:** Staff recommends approval of the Company's proposed January 1, 2012, date of implementation for revised depreciation rates.

**Issue 3:** What are the appropriate depreciation rates?

**Recommendation:** The recommended lives, net salvages, reserves, resultant depreciation rates, and recovery schedules are shown on Attachment A of staff's memorandum dated January 11, 2012. The result is a decrease in annual depreciation expense of approximately \$227,343, based on the estimated January 1, 2012, investment shown on Attachment B of staff's memorandum dated January 11, 2012.

**Issue 4:** Should the Commission make any corrective reserve allocations between accounts?

**Recommendation:** Yes. Staff recommends the reserve allocations shown in Table 4-1 of staff's memorandum dated January 11, 2012. These allocations bring these accounts more in line with their theoretically correct reserve levels.

**Issue 5:** Should the current amortization of investment tax credits (ITCs) and flow back of excess deferred income taxes (EDITs) be revised to reflect the approved depreciation rates?

**Recommendation:** Yes. The current amortization of ITCs and the flowback of EDITs should be revised to match the actual recovery periods for the related property. The Company should file detailed calculations of the revised ITC amortization and flowback of EDITs at the same time it files its surveillance report covering the period ending December 31, 2011.

**Issue 6:** Should this docket be closed?

**Recommendation:** Yes. If no person whose substantial interests are affected by the Commission's Proposed Agency Action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

**ITEM NO.**

**CASE**

---

10\*\*

**Docket No. 110320-GU** – Petition for approval of Cast Iron/Bare Steel Pipe Replacement Rider (Rider CI/BSR), by Peoples Gas System.

**Critical Date(s):** 02/14/12 (60-Day Suspension Date)  
08/14/12 (8-Month Effective Date)

**Commissioners Assigned:** All Commissioners  
**Prehearing Officer:** Administrative

**Staff:** ECR: Kummer, Higgins, Mouring, Slemkewicz, Trueblood  
GCL: Brown  
SRC: Black, Moses

**Issue 1:** Should PGS's petition for approval of a Cast Iron/Bare Steel Pipe Replacement Rider be suspended?

**Recommendation:** Yes.

**Issue 2:** Should this docket be closed?

**Recommendation:** No. The docket should remain open to allow further review and a subsequent recommendation on final action by the Commission.

**ITEM NO.**

**CASE**

---

11\*\*PAA

**Docket No. 120005-WS** – Annual reestablishment of price increase or decrease index of major categories of operating costs incurred by water and wastewater utilities pursuant to Section 367.081(4)(a), F.S.

**Critical Date(s):** March 31, 2012 - Statutory Reestablishment Deadline

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Administrative

**Staff:** ECR: Fletcher, Maurey

GCL: Klancke

**Issue 1:** Which index should be used to determine price level adjustments?

**Recommendation:** The Gross Domestic Product Implicit Price Deflator Index is recommended for use in calculating price level adjustments. Staff recommends calculating the 2012 price index by using a fiscal year, four quarter comparison of the Implicit Price Deflator Index ending with the third quarter 2011.

**Issue 2:** What rate should be used by water and wastewater utilities for the 2012 Price Index?

**Recommendation:** The 2012 Price Index for water and wastewater utilities should be 2.41 percent.

**Issue 3:** How should the utilities be informed of the indexing requirements?

**Recommendation:** Pursuant to Rule 25-30.420(1), F.A.C., the Office of Commission Clerk, after the expiration of the Proposed Agency Action (PAA) protest period, should mail each regulated water and wastewater utility a copy of the PAA order establishing the index containing the information presented in Form PSC/ECR 15 (4/99) and Appendix A (Attachment 1 of staff's memorandum dated January 11, 2012). A cover letter from the Director of the Division of Economic Regulation should be included with the mailing of the order (Attachment 2 of staff's memorandum dated January 11, 2012). If a protest is filed and a hearing is held, the Office of Commission Clerk should mail each regulated water and wastewater utility a copy of the final order establishing the index which should contain the information presented in Form PSC/ECR 15 (4/99) and Appendix A (Attachment 1 of staff's memorandum dated January 11, 2012). A cover letter from the Director of the Division of Economic Regulation should be included with the mailing of the order (Attachment 2 of staff's memorandum dated January 11, 2012).

**Issue 4:** Should this docket be closed?

**Recommendation:** Yes, this docket should be closed upon the issuance of the Consummating Order if no substantially affected person files a timely protest within the 14-day protest period after issuance of the PAA Order. Any party filing a protest should be required to prefile testimony with the protest.

100459-EI

FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 100459

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
City of Marianna		deanj@cityofmarianna.com	No
comverge		sfay@comverge.com	No
Florida Public Utilities Company		tgeoffroy@cfgas.com	No
Gunster Law Firm (10)		BKeating@gunster.com	No
Office of Public Counsel (10d)		KELLY.JR@leg.state.fl.us	No
Young Law Firm (11)		swright@yvlaw.net	No

FAXED - 1  
MAILED - 0  
EMAILED - 6

FPSC, CLK CORRESPONDENCE  
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DOCUMENT NO. 09969-10  
DISTRIBUTION: \_\_\_\_\_



## Commission Clerk

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**Subject:** FPSC E-service of Document NO. 00198-12 in Docket 100459-EI (Email ID = 725567)

The document described below has been issued by the Florida Public Service Commission and filed with the Office of Commission Clerk. As a party of record at the time of issuance or, if applicable, an interested person, you are being provided this information electronically.

Should you have any problems accessing this document, please contact the Office of Commission Clerk by reply e-mail. Do not alter the subject line, as it is used for processing.

<b>DOCUMENT NO.</b>	<b>DESCRIPTION</b>
00198-12 (13 pgs.)	RECOM for 01/24/12 Commission conference, Item ___, from GCL and ECR staff.

**Marguerite McLean**

PSC-11-0290-FOF-EI

**From:** Terry Holdnak  
**Sent:** Tuesday, July 05, 2011 1:39 PM  
**To:** CLK - Orders / Notices  
**Cc:** Lisa Bennett; Shalonda Hopkins  
**Subject:** Order / Notice Submitted

**Date and Time:** 7/5/2011 1:37:00 PM  
**Docket Number:** 100459-EI  
**Filename / Path:** 100459.Order on Motion to Dismiss.lcb.doc

100459-EI

5 pgs

**ORDER GRANTING FLORIDA PUBLIC UTILITIES COMPANY'S MOTION TO DISMISS**

*Terry K. Holdnak*  
 Commission Deputy Clerk II  
 Office of the General Counsel  
 Florida Public Service Commission  
 850-413-6738

<b>FPSC, CLK - CORRESPONDENCE</b>		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. <u>09969-10</u>		
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fax 1  
 mail 0  
 email 6

**FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 100459**

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
City of Marianna		deanj@cityofmarianna.com	No
comverge		sfay@comverge.com	No
Florida Public Utilities Company		tgeoffroy@cfgas.com	No
Gunster Law Firm (10)		BKeating@gunster.com	No
Office of Public Counsel (10d)		KELLY.JR@leg.state.fl.us	No
Young Law Firm (11)		swright@yvlaw.net	No

## Commission Clerk

---

**Subject:** Order or Notice issued by the Public Service Commission (Email ID = 053395)

**Attachments:** 04601-11.pdf

*The attached order or notice has been issued by the Public Service Commission.*

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*When replying, please do not alter the subject line; as it is used to process your reply.*

*Thank you.*

7/5/2011

100459-E1

FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 100459

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
City of Marianna		deanj@cityofmarianna.com	No
comverge		sfay@comverge.com	No
Florida Public Utilities Company		tgeoffroy@cfgas.com	No
Gunster Law Firm (10)		BKeating@gunster.com	No
Office of Public Counsel (10d)		KELLY.JR@leg.state.fl.us	No
Young Law Firm (11)		swright@yvlaw.net	No

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## Commission Clerk

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**Subject:** Order or Notice issued by the Public Service Commission (Email ID = 564129)

**Attachments:** 03845-11.pdf

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Thank you.

**Matilda Sanders**

PSC-11-0129-PCO - E1

100459-E1

From: Terry Holdnak  
 Sent: Friday, February 25, 2011 8:10 AM  
 To: CLK - Orders / Notices  
 Cc: Erik Saylor  
 Subject: Order / Notice Submitted

Date and Time: 2/25/2011 8:08:00 AM  
 Docket Number: 100459-E1  
 Filename / Path: 100459.Ord.granting intv.city of marianna.els.doc

FPSC, CLK - CORRESPONDENCE		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. 09909-10		
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**ORDER GRANTING INTERVENTION**

*Terry K. Holdnak*  
 Commission Deputy Clerk II  
 Office of the General Counsel  
 Florida Public Service Commission  
 850-413-6738

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 MAILED - 2  
 EMAILED - 3

**FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 100459**

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
Florida Public Utilities Company		tgeoffroy@fpuc.com	No
Gunster Law Firm (10)		BKeating@gunster.com	No
Young Law Firm (11)		swright@yvlaw.net	No



## Commission Clerk

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**Subject:** Order or Notice issued by the Public Service Commission (Email ID = 174109)

**Attachments:** 01258-11.pdf

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Thank you.

2/25/2011

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Matilda Sanders

PSC-11-0112 - TRF - E1

100459-E1

From: Shalonda Hopkins  
Sent: Friday, February 11, 2011 10:02 AM  
To: CLK - Orders / Notices  
Cc: Katherine Fleming  
Subject: Order / Notice Submitted

Date and Time: 2/11/2011 10:00:00 AM  
Docket Number: 100459-E1  
Filename / Path: 100459.order.020811.agenda.kef.doc

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DOCUMENT NO. 099109-10		
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ORDER APPROVING TIME-OF-USE AND INTERRUPTIBLE  
EXPERIMENTAL PILOT PROGRAM

Shalonda Hopkins  
Commission Deputy Clerk II  
Office of the General Counsel  
Florida Public Service Commission  
Tel: (850) 413-6630

CO CLK  
E1 803

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MAILED - 5  
EMAILED - 6

**FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 100459**

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
Board of County Commissioners, Charlotte County		bcc@charlottefl.com	Yes
Clerk of the Circuit Court, Charlotte County		CasWeb@co.charlotte.fl.us	Yes
comverge		sfay@comverge.com	No
Florida Public Utilities Company		tgeoffroy@fpuc.com	No
Gunster Law Firm (10)		BKeating@gunster.com	No
Young Law Firm (11)		swright@yvlaw.net	No

FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 100459

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
comverge		sfay@comverge.com	No
Florida Public Utilities Company		tgeoffroy@fpuc.com	No
Gunster Law Firm (10)		BKeating@gunster.com	No
Young Law Firm (11)		swright@yvlaw.net	No

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MAILED - 2  
EMAILED - 4

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## Commission Clerk

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**Subject:** Order or Notice issued by the Public Service Commission (Email ID = 597448)

**Attachments:** Recommendation 00629-11.pdf

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Thank you.

State of Florida



## Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

---

**TO:** Parties and Interested Persons  
**FROM:** Ann Cole, Commission Clerk, Office of Commission Clerk  
**RE:** Notice of Filing of Staff Recommendation

---

Notice is being given that a staff recommendation has been filed with the Office of Commission Clerk for the upcoming Commission Conference Agenda. See attached page one for filing date, docket number, and document number information.

Complete staff recommendations for items on the agenda are available from the Commission's Web site <http://www.floridapsc.com> by selecting the **Agendas & Hearings** tab and then selecting **Commission Conference Agendas**. Vote sheets, transcripts, and minutes are also viewable once they become available. Records of Commission actions can also be viewed by selecting **Dockets & Filings, Dockets** and the docket number or document number.

I hope you find this information helpful. If you have any questions concerning this information, please feel free to contact the Office of Commission Clerk at (850) 413-6770.

RECEIVED-FPSC

State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

JAN 27 AM 11:34  
COMMISSION  
CLERK

## -M-E-M-O-R-A-N-D-U-M-

---

**DATE:** January 27, 2011

**TO:** Office of Commission Clerk (Cole)

**FROM:** Division of Economic Regulation (Draper, D. Lee) *ESD*  
Office of the General Counsel (Fleming) *CF CROSS*

**RE:** Docket No. 100459-EI – Petition for authority to implement a demonstration project consisting of proposed time-of-use and interruptible rate schedules and corresponding fuel rates in the Northwest Division on an experimental basis and request for expedited treatment, by Florida Public Utilities Company.

**AGENDA:** 02/08/11 – Regular Agenda – Tariff Filing – Interested Persons May Participate

**COMMISSIONERS ASSIGNED:** All Commissioners

**PREHEARING OFFICER:** Administrative

**CRITICAL DATES:** 02/14/11 (60-Day Suspension Date)

**SPECIAL INSTRUCTIONS:** None

**FILE NAME AND LOCATION:** S:\PSC\ECR\WP\100459.RCM.DOC

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### Case Background

On December 14, 2010, Florida Public Utilities Company (FPUC) filed a petition to implement optional time-of-use (TOU) and interruptible rate schedules and corresponding fuel factors in the Northwest Division on an experimental basis.

FPUC provides electric service to customers located in two sections of north Florida. The Northwest Division serves Jackson, Calhoun and Liberty counties, and is commonly called the "Marianna Division." The Northeast Division is located in the Fernandina Beach area, and serves Nassau County. FPUC does not generate any of the power it sells, but meets the needs of its customers through contracts for purchased power. In Order No. PSC-07-0476-PAA-EI, the

DOCUMENT NUMBER DATE

00629 JAN 27 =

FPSC-COMMISSION CLERK

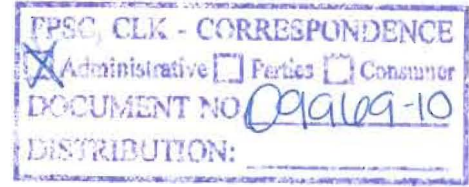
**Matilda Sanders**

PSC-11 - 0026-PCO-EI

100459-EI

From: Shalonda Hopkins  
 Sent: Wednesday, January 12, 2011 11:20 AM  
 To: CLK - Orders / Notices  
 Cc: Katherine Fleming  
 Subject: Order / Notice Submitted

Date and Time: 1/12/2011 11:18:00 AM  
 Docket Number: 100459-EI  
 Filename / Path: 100459.Ord.Ack.Intv.kef.doc



ORDER ACKNOWLEDGING INTERVENTION

Shalonda Hopkins  
 Commission Deputy Clerk II  
 Office of the General Counsel  
 Florida Public Service Commission  
 Tel: (850) 413-6630

FAXED - 1  
 EMAILED - 3  
 MAILED - 2



**FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 100459**

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
Florida Public Utilities Company		tgeoffroy@fpuc.com	No
Gunster Law Firm (10)		BKeating@gunster.com	No
Young Law Firm (11)		swright@yvlaw.net	No

## Commission Clerk

---

**Subject:** Order or Notice issued by the Public Service Commission (Email ID = 357350)

**Attachments:** 00303-11.pdf

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Thank you.

STATE OF FLORIDA

COMMISSIONERS:

ART GRAHAM, CHAIRMAN  
LISA POLAK EDGAR  
NATHAN A. SKOP  
RONALD A. BRISÉ  
EDUARDO E. BALBIS



OFFICE OF COMMISSION CLERK  
ANN COLE  
COMMISSION CLERK  
(850) 413-6770

# Public Service Commission

December 16, 2010

**ADMINISTRATIVE**

Gunster Law Firm  
Beth Keating  
215 South Monroe Street, Suite 618  
Tallahassee FL 32301

**Re: Docket No. 100459-EI**

Dear Ms. Keating:

This will acknowledge receipt of the petition for authority to implement a demonstration project consisting of proposed time-of-use and interruptible rate schedules and corresponding fuel rates in the Northwest Division on an experimental basis and request for expedited treatment, by Florida Public Utilities Company, which was filed in this office on December 14, 2010, and assigned the above-referenced docket number.

Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Office of Commission Clerk

DOCUMENT NUMBER DATE  
09969 DEC 16 09  
FPSC-COMMISSION CLERK

Section 1 - Office of Commission Cler

Docket No. 100459-EI Date Docketed: 12/14/2010 Title: Petition for authority to implement a demonstration project consisting of proposed time-of-use and interruptible rate schedules and corresponding fuel rates in the Northwest Division on an experimental basis and request for expedited treatment, by Florida Public Utilities Company.

Company: Florida Public Utilities Company

Official Filing Date: \_\_\_\_\_ Expiration: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_

Referred to: \_\_\_\_\_

ADM	APA	CLK	(ECR)	GCL	PIF	RAD	SSC
			X	X			

("(") indicates OPR)

Section 2 - OPR Completes and returns to CLK in 10 workdays. Time Schedule

Program Module A4(b)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
 IT IS TENTATIVE AND SUBJECT TO REVISION.  
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

<u>OPR Staff</u>	<u>Staff Assignments</u>	<u>Due Dates</u>	
		<u>Previous</u>	<u>Current</u>
	<input type="checkbox"/> Current CASR revision level		
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	2.		
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<u>Staff Counsel</u>	8.		
	9.		
<u>OCRs</u>	10.		
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Recommended assignments for hearing and/or deciding this case:

Full Commission \_\_\_\_\_ Commission Panel \_\_\_\_\_  
 Hearing Examiner \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with CLK: \_\_\_\_\_

Initials OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	GH	ED	SK	BI	BL		

Prehearing Officer

Commissioners					ADM
GH	ED	SK	BI	BL	

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.  
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: \_\_\_\_\_  
 Date: \_\_\_\_\_

Section 1 - Office of Commission Clerk

Docket No. 100459-EI Date Docketed: 12/14/2010 Title: Petition for authority to implement a demonstration project consisting of proposed time-of-use and interruptible rate schedules and corresponding fuel rates in the Northwest Division on an experimental basis and request for expedited treatment, by Florida Public Utilities Company.

Company: Florida Public Utilities Company

Official Filing Date: \_\_\_\_\_ Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

("O") indicates OPR

ADM	APA	CLK	(ECR)	GCL	PIF	RAD	SSC
			X	X			

Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A4(b)

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

Due Dates

OPR Staff E Draper, D Lee  Current CASR revision level Previous Current

	1.	Consummating Order if No Protest - Close Docke	NONE	03/08/2011
	2.			
	3.			
	4.			
	5.			
	6.			
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Staff Counsel	8.			
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OCRs	11.			
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Recommended assignments for hearing and/or deciding this case:	30.			
	31.			
Full Commission <input checked="" type="checkbox"/> Commission Panel	32.			
Hearing Examiner <input type="checkbox"/> Staff	33.			
	34.			
Date filed with CLK: <u>12/16/2010</u>	35.			
	36.			
Initials OPR	37.			
Staff Counsel	38.			
	39.			
	40.			

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	GH	ED	BI	BL	BW		
X							

Prehearing Officer

Commissioners					ADM
GH	ED	BI	BL	BW	
				X	

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.  
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: GH/MM  
Date: 12/16/2010  
PHO



Section 1 - Office of Commission Clerk

Docket No. 100459-EI Date Docketed: 12/14/2010 Title: **Petition for authority to implement a demonstration project consisting of proposed time-of-use and interruptible rate schedules and corresponding fuel rates in the Northwest Division on an experimental basis and request for expedited treatment, by Florida Public Utilities Company.**

Official Filing Date: \_\_\_\_\_ Expiration: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_

Referred to: ADM APA CLK (ECR) GCL PIF RAD SSC  
 ("O") indicates OPR

Section 2 - OPR Completes and returns to CLK in 10 workdays. Time Schedule

<p>Program Module <u>A4(b)</u></p> <p style="text-align: center;"><u>Staff Assignments</u></p> <p>OPR Staff <u>E Draper, D Lee</u></p> <p>Staff Counsel <u>E Saylor</u></p> <p>OCRs _____</p> <p>Recommended assignments for hearing and/or deciding this case:                  Full Commission <input checked="" type="checkbox"/> Commission Panel _____                  Hearing Examiner _____ Staff _____</p> <p>Date filed with CLK: <u>12/16/2010</u></p> <p>Initials OPR _____                  Staff Counsel _____</p>	<p style="text-align: center;"><b>WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT                  IT IS TENTATIVE AND SUBJECT TO REVISION.                  FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770</b></p> <p style="text-align: center;"><input type="checkbox"/> Current CASR revision level</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2"></th> <th rowspan="2"></th> <th colspan="2">Due Dates</th> </tr> <tr> <th>Previous</th> <th>Current</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Consummating Order if No Protest - Close Docke</td> <td>NONE</td> <td>03/08/2011</td> </tr> <tr><td>2.</td><td></td><td></td><td></td></tr> <tr><td>3.</td><td></td><td></td><td></td></tr> <tr><td>4.</td><td></td><td></td><td></td></tr> <tr><td>5.</td><td></td><td></td><td></td></tr> <tr><td>6.</td><td></td><td></td><td></td></tr> <tr><td>7.</td><td></td><td></td><td></td></tr> <tr><td>8.</td><td></td><td></td><td></td></tr> <tr><td>9.</td><td></td><td></td><td></td></tr> <tr><td>10.</td><td></td><td></td><td></td></tr> <tr><td>11.</td><td></td><td></td><td></td></tr> <tr><td>12.</td><td></td><td></td><td></td></tr> <tr><td>13.</td><td></td><td></td><td></td></tr> <tr><td>14.</td><td></td><td></td><td></td></tr> <tr><td>15.</td><td></td><td></td><td></td></tr> <tr><td>16.</td><td></td><td></td><td></td></tr> <tr><td>17.</td><td></td><td></td><td></td></tr> <tr><td>18.</td><td></td><td></td><td></td></tr> <tr><td>19.</td><td></td><td></td><td></td></tr> <tr><td>20.</td><td></td><td></td><td></td></tr> <tr><td>21.</td><td></td><td></td><td></td></tr> <tr><td>22.</td><td></td><td></td><td></td></tr> <tr><td>23.</td><td></td><td></td><td></td></tr> <tr><td>24.</td><td></td><td></td><td></td></tr> <tr><td>25.</td><td></td><td></td><td></td></tr> <tr><td>26.</td><td></td><td></td><td></td></tr> <tr><td>27.</td><td></td><td></td><td></td></tr> <tr><td>28.</td><td></td><td></td><td></td></tr> <tr><td>29.</td><td></td><td></td><td></td></tr> <tr><td>30.</td><td></td><td></td><td></td></tr> <tr><td>31.</td><td></td><td></td><td></td></tr> <tr><td>32.</td><td></td><td></td><td></td></tr> <tr><td>33.</td><td></td><td></td><td></td></tr> <tr><td>34.</td><td></td><td></td><td></td></tr> <tr><td>35.</td><td></td><td></td><td></td></tr> <tr><td>36.</td><td></td><td></td><td></td></tr> <tr><td>37.</td><td></td><td></td><td></td></tr> <tr><td>38.</td><td></td><td></td><td></td></tr> <tr><td>39.</td><td></td><td></td><td></td></tr> <tr><td>40.</td><td></td><td></td><td></td></tr> </tbody> </table>			Due Dates		Previous	Current	1.	Consummating Order if No Protest - Close Docke	NONE	03/08/2011	2.				3.				4.				5.				6.				7.				8.				9.				10.				11.				12.				13.				14.				15.				16.				17.				18.				19.				20.				21.				22.				23.				24.				25.				26.				27.				28.				29.				30.				31.				32.				33.				34.				35.				36.				37.				38.				39.				40.			
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Section 3 - Chairman Completes Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	GH	ED	BI	BL	BW		
X							

Prehearing Officer

Commissioners					ADM
GH	ED	BI	BL	BW	
			X		

Where panels are assigned the senior Commissioner is Panel Chairman:  
 the identical panel decides the case.  
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: GHI MVM  
 Date: 12/16/2010  
PHO

Section 1 - Office of Commission Clerk

Docket No. 100459-EI Date Docketed: 12/14/2010 Title: Petition for authority to implement a demonstration project consisting of proposed time-of-use and interruptible rate schedules and corresponding fuel rates in the Northwest Division on an experimental basis and request for expedited treatment, by Florida Public Utilities Company

Company: Florida Public Utilities Company

Official Filing Date: \_\_\_\_\_  
Last Day to Suspend: \_\_\_\_\_

Expiration: \_\_\_\_\_

Referred to:

("O" indicates OPR)

ADM	APA	CLK	(ECR)	GCL	PIF	RAD	SSC
			X	X			

Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A4(b)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
IT IS TENTATIVE AND SUBJECT TO REVISION.  
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff

E Draper, D Lee

Current CASR revision level

Due Dates  
Previous Current

Staff Counsel

K Fleming

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission  Commission Panel \_\_\_\_\_  
Hearing Examiner \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with CLK: 12/16/2010

Initials OPR \_\_\_\_\_  
Staff Counsel \_\_\_\_\_

1.	Staff Recommendation	NONE	01/27/2011
2.	Agenda	NONE	02/08/2011
3.	Tariff Order	NONE	02/28/2011
4.	Consummating Order if No Protest - Close Docke	NONE	03/24/2011
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	GH	ED	SK	BI	BL		
X							

Prehearing Officer

Commissioners					ADM
GH	ED	SK	BI	BL	
					X

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.  
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full commission decides the case.

Approved: GH/MM  
Date: 12/16/2010



Section 1 - Office of Commission Clerk

Docket No. 100459-EI Date Docketed: 12/14/2010 Title: Petition for authority to implement a demonstration project consisting of proposed time-of-use and interruptible rate schedules and corresponding fuel rates in the Northwest Division on an experimental basis and request for expedited treatment, by Florida Public Utilities Company

Company: Florida Public Utilities Company

Official Filing Date: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_  
 Referred to: \_\_\_\_\_  
 ("O" indicates OPR)

Expiration: \_\_\_\_\_

ADM	APA	CLK	(ECR)	GCL	PIF	RAD	SSC
			X	X			

Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A4(b)

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 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff E Draper, D Lee

1 Current CASR revision level

Due Dates  
 Previous Current

Staff Counsel E Saylor

OCRs

1.	Revised CASR Due	SAME	04/29/2011
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Recommended assignments for hearing and/or deciding this case:  
 Full Commission X Commission Panel \_\_\_  
 Hearing Examiner \_\_\_ Staff \_\_\_  
 Date filed with CLK: 03/17/2011  
 Initials OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	GH	ED	BI	BL	BW		
X							

Prehearing Officer

Commissioners					ADM
GH	ED	BI	BL	BW	
			X		

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.  
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: GH/MM  
 Date: Pending 3-23-11



Section 1 - Office of Commission Clerk

Docket No. 100459-EI Date Docketed: 12/14/2010 Title: Petition for authority to implement a demonstration project consisting of proposed time-of-use and interruptible rate schedules and corresponding fuel rates in the Northwest Division on an experimental basis and request for expedited treatment, by Florida Public Utilities Company

Official Filing Date: \_\_\_\_\_ Expiration: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_  
 Referred to: \_\_\_\_\_  
 ("O" indicates OPR)

ADM	APA	CLK	(ECR)	GCL	PIF	RAD	SSC
			X	X			

Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A4(b)

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 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff	E Draper, D Lee	2	Current CASR revision level	Due Dates	
				Previous	Current
		1.	Staff Recommendation-Motion to Dismiss	SAME	05/12/2011
		2.	Agenda-Motion to Dismiss	SAME	05/24/2011
		3.	Standard Order-Motion to Dismiss	SAME	06/13/2011
		4.	Revised CASR Due	04/29/2011	06/20/2011
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Staff Counsel	L Bennett	8.			
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Recommended assignments for hearing and/or deciding this case:

Full Commission  Commission Panel \_\_\_\_\_  
 Hearing Examiner \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with CLK: 05/03/2011

Initials OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	GH	ED	BI	BL	BW		
X							

Prehearing Officer

Commissioners					ADM
GH	ED	BI	BL	BW	
			X		

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: \_\_\_\_\_  
 Date: 05/03/2011 *GH/MM*

Section 1 - Office of Commission Clerk

Docket No. 100459-EI Date Docketed: 12/14/2010 Title: **Petition for authority to implement a demonstration project consisting of proposed time-of-use and interruptible rate schedules and corresponding fuel rates in the Northwest Division on an experimental basis and request for expedited treatment, by Florida Public Utilities Company.**

Company: **Florida Public Utilities Company**

Official Filing Date: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_  
 Referred to: \_\_\_\_\_  
 ("O" indicates OPR)

Expiration: \_\_\_\_\_

ADM	APA	CLK	(ECR)	GCL	PIF	RAD	SSC
			X	X			

Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A4(b)

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 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff E Draper, D Lee

1  2  3  4  5  6  7  8  9  10

Due Dates  
 Previous Current

Staff Counsel L Bennett

OCRs

1.	Staff Recommendation-Motion to Dismiss	05/12/2011	06/02/2011
2.	Agenda-Motion to Dismiss	05/24/2011	06/14/2011
3.	Standard Order-Motion to Dismiss	06/13/2011	07/05/2011
4.	Revised CASR Due	06/20/2011	07/29/2011
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Recommended assignments for hearing and/or deciding this case:

Full Commission  Commission Panel   
 Hearing Examiner  Staff

Date filed with CLK: 05/11/2011

Initials OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	GH	ED	BI	BL	BW		
X							

Prehearing Officer

Commissioners					ADM
GH	ED	BI	BL	BW	
			X		

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: GH/MM  
 Date: Pending

5-23-11



Section 1 - Office of Commission Clerk

Docket No. 100459-EI Date Docketed: 12/14/2010 Title: Petition for authority to implement a demonstration project consisting of proposed time-of-use and interruptible rate schedules and corresponding fuel rates in the Northwest Division on an experimental basis and request for expedited treatment, by Florida Public Utilities Company

Official Filing Date: \_\_\_\_\_ Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

("O" indicates OPR)

ADM	APA	CLK	(ECR)	GCL	PIF	RAD	SRC
			X	X			

Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A4(b)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
IT IS TENTATIVE AND SUBJECT TO REVISION.  
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff

E Draper, D Lee

4 Current CASR revision level

Due Dates  
Previous Current

Staff Counsel

L Bennett

OCRs

1.	Staff Recommendation	SAME	11/22/2011
2.	Agenda	SAME	12/06/2011
3.	Standard Order	SAME	12/27/2011
4.	Revised CASR Due	09/30/2011	02/29/2012
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Recommended assignments for hearing and/or deciding this case:

Full Commission  Commission Panel \_\_\_  
Hearing Examiner \_\_\_ Staff \_\_\_

Date filed with CLK: 10/05/2011

Initials OPR \_\_\_\_\_  
Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	GH	ED	BI	BL	BW		
X							

Prehearing Officer

Commissioners					ADM
GH	ED	BI	BL	BW	
			X		

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: GH/mm  
Date: 10/05/2011

Section 1 - Office of Commission Clerk

Docket No. 100459-EI Date Docketed: 12/14/2010 Title: Petition for authority to implement a demonstration project consisting of proposed time-of-use and interruptible rate schedules and corresponding fuel rates in the Northwest Division on an experimental basis and request for expedited treatment, by Florida Public Utilities Company.

Official Filing Date: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_

Expiration: \_\_\_\_\_

Referred to:

ADM    APA    CLK    DED    (ECR)    GCL    PIF    RAD    SRC

("O") indicates OPR

					X	X			
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Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A4(b)

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 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff E Draper, D Lee

Current CASR revision level

Due Dates  
 Previous    Current

Staff Counsel L Bennett

OCRs

1.	Staff Recommendation	11/22/2011	12/28/2011
2.	Agenda	12/06/2011	01/10/2012
3.	Standard Order	12/27/2011	01/30/2012
4.	Revised CASR Due	02/29/2012	03/30/2012
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Recommended assignments for hearing and/or deciding this case:

Full Commission  Commission Panel \_\_\_\_\_  
 Hearing Examiner \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with CLK: 11/16/2011

Initials OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	GH	ED	BI	BL	BW		
X							

Prehearing Officer

Commissioners					ADM
GH	ED	BI	BL	BW	
			X		

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: GH/MMM  
 Date: Pending  
12/2/11



Section 1 - Office of Commission Clerk

Docket No. 100459-EI Date Docketed: 12/14/2010 Title: **Petition for authority to implement a demonstration project consisting of proposed time-of-use and interruptible rate schedules and corresponding fuel rates in the Northwest Division on an experimental basis and request for expedited treatment, by Florida Public Utilities Company.**

Company: Florida Public Utilities Company

Official Filing Date: \_\_\_\_\_

Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

ADM    APA    CLK    DED    (ECR)    GCL    PIF    RAD    SRC

("O") indicates OPR

					X	X			
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Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A4(b)

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
IT IS TENTATIVE AND SUBJECT TO REVISION.  
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff

E Draper, D Lee

6 Current CASR revision level

Due Dates  
Previous    Current

Staff Counsel

L Bennett

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission  Commission Panel \_\_\_  
Hearing Examiner \_\_\_ Staff \_\_\_

Date filed with CLK: 12/19/2011

Initials OPR

Staff Counsel

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	GH	ED	BI	BL	BW		
X							

Prehearing Officer

Commissioners					ADM
GH	ED	BI	BL	BW	
			X		

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.  
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: \_\_\_\_\_  
Date: Pending

BI/MM  
1-3-12