

## Diamond Williams

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**From:** Rhonda Dulgar [rdulgar@yvlaw.net]  
**Sent:** Thursday, August 04, 2011 3:26 PM  
**To:** Frank Bondurant; Beth Keating; J.R. Kelly; Cecilia Bradley; Filings@psc.state.fl.us; Jennifer Crawford; Pauline Robinson; Schef Wright  
**Subject:** Electronic Filing - Docket No. 11-0041-EI  
**Attachments:** 110041.Marianna.Req4OralArg.8-4-11.pdf

a. Person responsible for this electronic filing:

Robert Scheffel Wright  
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b. 110041-EI

In Re: Petition for approval of Amendment No. 1 to Generation Services Agreement with Gulf Power Company, by Florida Public Utilities Company.

c. Document being filed on behalf of the City of Marianna, Florida.

d. There are a total of 3 pages.

e. The document attached for electronic filing is The City of Marianna's Request for Oral Argument.

(see attached file: 110041.Marianna.Req4OralArg.8-4-11.pdf )

Thank you for your attention and assistance in this matter.

Rhonda Dulgar  
Secretary to Schef Wright  
Phone: 850-222-7206  
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8/4/2011

DOCUMENT NUMBER-DATE

05515 AUG-4 =

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition for Approval of Amendment )  
No. 1 to Generation Services )  
Agreement with Gulf Power Company, ) DOCKET NO. 110041-EI  
by Florida Public Utilities )  
Company ) Served: August 4, 2011  
)

THE CITY OF MARIANNA'S REQUEST FOR ORAL ARGUMENT

The City of Marianna, Florida ("Marianna" or "City"), pursuant to Rule 25-22.058, Florida Administrative Code ("F.A.C."), hereby requests that the Commission allow oral argument on the motion to dismiss filed by Florida Public Utilities Company ("FPUC") in this docket, and on the City's Response in Opposition to that motion. The City believes that oral argument will aid the Commission in fully comprehending the relationships, and differences, between (a) the facts that establish the City's standing and right to a formal evidentiary hearing and (b) the disputed issues of material fact that the Commission must consider in making its decision on the ultimate issue in this docket, namely, whether to approve or deny FPUC's petition for approval of the PPA Amendment for cost recovery purposes. Oral argument would also enable the Commission to gain a more complete understanding of the disputed issues of material fact themselves, facts that are disputed by both the City and FPUC in their pleadings.

WHEREFORE, the City of Marianna respectfully asks that the Commission grant oral argument on FPUC's motion to dismiss. The

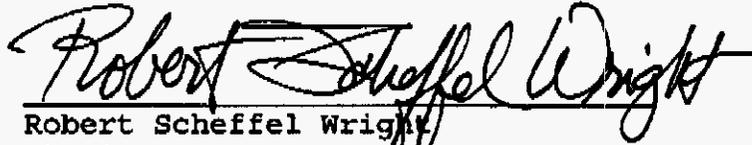
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FPSC-COMMISSION CLERK

City respectfully suggests that an allowance of 5 to 10 minutes to each side would be appropriate.

Respectfully submitted this 4th day of August, 2011.



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Attorneys for the City of Marianna

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic delivery this 4th day of August, 2011, to the following:

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