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Sent: Friday, August 19, 2011 4:36 PM
To: Frank Bondurant; Beth Keating; J.R. Kelly; Cecilia Bradley; Filings@psc.state.fl.us; Jennifer Crawford; Lisa Bennett; Schef Wright
Subject: Electronic Filing - Docket 100459-EI
Attachments: 100459.Marianna.Req4OralArg.8-19-11.pdf

a. Person responsible for this electronic filing:

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b. 100459-EI

In Re: Florida Public Utilities Company's Petition for Authority to Implement a Demonstration Project of Proposed Time-of-Use and Interruptible Rate Schedules in the Northwest Division.

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: 100459.Marianna.Req4OralArg.8-19-11.pdf)

Thank you for your attention and assistance in this matter.

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DOCUMENT NUMBER - DATE

05951 AUG 19 =

FPSC-COMMISSION CLERK

8/19/2011

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Florida Public Utilities)
Company's Petition for Authority to)
To Implement a Demonstration Project) DOCKET NO. 100459-EI
Of Proposed Time-of-Use and)
Interruptible Rate Schedules) Filed: August 19, 2011
in the Northwest Division)
_____)

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 FPUC's proposed time-of-use and interruptible rates that are the subject of this docket. The City believes that oral argument would aid the Commission's understanding and consideration of the City's right to a formal proceeding with respect to standards of review applicable to motions to dismiss under Florida law. The City also believes oral argument would enable the Commission to gain a more

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

Respectfully submitted this 19th day of August, 2011.



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CERTIFICATE OF SERVICE

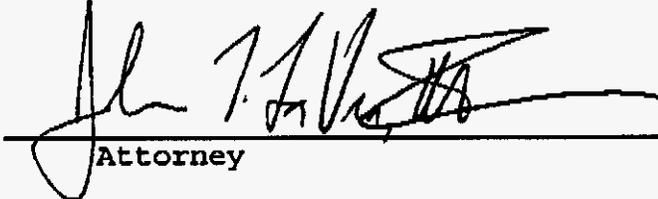
I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic delivery and U.S. Mail this 19th day of August, 2011, to the following:

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