

Diamond Williams

From: Dr. Stephen J. Faherty, Sr. [fahertydoc@earthlink.net]
Sent: Tuesday, August 23, 2011 2:20 PM
To: Filings@psc.state.fl.us
Cc: 'Glenn Heran'; Martha Brown; Shalonda Hopkins; 'Coment, Wayne'; 'Schef Wright'
Subject: Request for Extension of Abeyance in Docket No. 090524-EM - Declaratory Statement Petition by Dr. Stephen J. Faherty and Glenn Fraser Heran against the City of Vero Beach (City)
Importance: High
Attachments: Letter to PSC - 11-08-23.doc

Attached is request from Glenn Heran and me proposing an extension of the period of Abeyance in the above Docket Number based on ongoing and continuing activities by the City of Vero Beach and Florida Power & Light.

Steve Faherty

8/23/2011

DOCUMENT NO. DATE
06029-11 8, 23, 11
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Ms. Ann Cole, Commission Clerk
Office of Commission Clerk
2540 Shumard Oak Blvd.
Florida Public Service Commission
Tallahassee, FL 32399-0850

In Re: Docket No. 090524-EM – Declaratory Statement Petition by Dr. Stephen J. Faherty and Glenn Fraser Heran against the City of Vero Beach (City)

August 23, 2011

Dear Ms. Cole:

On April 12, 2011, the City of Vero Beach, the PSC, Mr. Heran, and I agreed to establish a period of Abeyance for the above Docket No. until September 15, 2011 in order to give the parties – the City and FPL – more time to pursue appropriate actions regarding the April 4, 2011 offer by FPL to purchase the City's Electric utility.

Since that time, the City has taken actions, including, but not limited to: engaged consultants to prepare reports and valuations; hired a Transactional Negotiating law firm to assist with negotiations with FPL; agreed to extend the period of due diligence with FPL from July 2011 to December 31, 2011; finalized a Referendum question to put before its voters in November authorizing it to pursue certain sale/lease actions; authorized FPL to assist the City in discussions with OUC and FMPA regarding the City's interests with them; etc.

In order to avoid a large expenditure of time on the part of the Commission with another Conference Call in mid September and on the part of the City with additional attorney fees and staff time, Glenn Heran and I would like to propose that the Abeyance period for this Docket No be extended to February 14, 2012 in order to give the City and FPL more time to focus and pursue their due diligence and negotiations. Hopefully the City will agree to this.

Sincerely,

s/ Dr. Stephen J. Faherty, Sr.

s/ Glenn Fraser Heran

cc by e-mail:
Martha Carter Brown
Shalonda Hopkins
Sheff Wright
Wayne R. Coment

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