

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RECEIVED-FPSC
13 MAR -6 AM 8:18
COMMISSION
CLERK

Edward McDonald
7203 N. 41st St.
Tampa, FL 33604
(813) 374-3837

PETITIONER

-and-

DOCKET NO. 110305-E1

Tampa Electric Company
P.O. Box 111
Tampa, FL 33601
(813) 223-0800

RESPONDENT

MOTION FOR ORDER OF INSOLVENCY

RE: COMMISSION CONFERENCE AGENDA/ March 5, 2013
(I.E.) Response to staff recommendations re: Stay pending Judicial Review
Pursuant to the attached AFFIDAVIT OF INDIGENCY, the commission is moved to
issue an ORDER OF INSOLVENCY, to be filed with the Supreme Court of Florida.

CERTIFICATE OF SERVICE

Copies forwarded as per the Certificate of Service appended to the affidavit

COM _____
AFD _____
APA _____
ECO _____
ENG _____
GCL I
IDM _____
TEL _____
CLK _____

Edward McDonald
Edward McDonald
2/26/13

DOCUMENT NUMBER-DATE
01167 MAR-6 02
FPSC-COMMISSION CLERK

IN THE SUPREME COURT OF FLORIDA

CASE NUMBER: SC13-160

EDWARD MCDONALD,

Petitioner/Appellant

vs.

FLORIDA PUBLIC SERVICE COMMISSION,

Respondent/Appellee

**MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS/AFFIDAVIT
OF INDIGENCY BY PETITIONER/APPELLANT**

Petitioner/Appellant EDWARD MCDONALD, in propria persona, respectfully moves this Court for an order permitting him/her to proceed in forma pauperis. In support hereof petitioner/appellant submits a financial affidavit of indigency as required by section 57.081 or 57.085(2), Florida Statutes (1997).

Respectfully submitted,

FINANCIAL AFFIDAVIT

I, EDWARD MCDONALD, hereby depose and say that I am unable to pay court costs and fees and submit the following information for review: AGE: 75
DATE OF BIRTH: 9/20/37 MARITAL STATUS: Married Separated
Divorced Single LIST DEPENDENTS, THEIR NAMES, AND AGES:

None

II. FINANCIAL CONDITION:

b

Affiant's Gross Income: Weekly \$ _____ Bi-Weekly \$ _____ Monthly \$ 1014

Spouse's Gross Income: Weekly \$ n.a. Bi-Weekly \$ _____ Monthly \$ _____

Own Home: Yes No _____ Monthly Mortgage Payments \$ REVERSE MORTGAGE
Value of Real Property Owned \$ 146,000

Own Automobile: Yes No _____ Monthly Payments \$ _____
Value of Automobile: \$ 300.00 92 Year/Make: Nissan

Value of Personal Property Owned (boats, furniture, stocks, jewelry, etc.):

List all tangible property with a value over \$100.00

Item	\$ Value
Household Furnishings	\$1000.00

Amount of Personal Debts (money owed):

\$166,000.00 MORTGAGE

List creditor and the amount owed to each creditor:

FINANCIAL FREEDOM \$ 166,000.00

Appellants/Petitioner's monthly expenses:

\$946.00

Amount of cash held by petitioner/appellant: ~~5~~ \$ 00 \$ 52.00

Balance of checking account: \$ 2.70

Balance of savings account: \$ 00.00

Amount held in money-market (stocks, bonds, other tangible personal property): \$ 00.00

The following applies only to persons who are incarcerated:

My inmate number is: _____

Amount currently held in the petitioner's inmate trust account: \$ _____
Attach photocopy of inmate's trust account records for the preceding six (6) months or for appellants/petitioner's incarceration, whichever period is shorter.

Are you presently employed in an inmate work program within the Department of Corrections? Yes _____ No _____

If the answer is "YES" complete the following:

Wages earned: \$ _____ Name and Address of employer: _____

If answer is "NO" state the date of your last employment and the salary and wages earned per month. Date: _____ Wages earned: \$ _____

Are you presently employed in a work release program? Yes ___ No ___

If answer is "YES" complete the following: Wages earned: \$ _____

Name and address of employer: _____

If answer is "NO" state the date of your last employment and the salary and wages earned per month: Date _____ Wages earned: \$ _____

I certify that I have _____ have not _____ been adjudicated indigent under section 57.081, 57.085 or 28 U.S.C. s 1915. If your answer is "YES" and it occurred twice in the preceding three (3) years, you are required to list each suit, action, claim, proceeding, or appeal which you have intervened in

any court or other adjudicatory forum in the proceeding five years.

1. _____
2. _____
3. _____

Attach extra sheet(s) if necessary.

Under penalties of perjury, I declare that I have read the following (document) and that the facts stated in it are true. (92.525(2) Fla. Stat. (1995))

Dated this 26th day of Feb., 2013, at Tampa, Florida:

Edward McDonald
Signature of Petitioner/Appellant

Address: 7203 N. Hill St
Tampa, FL
33604-2425

ONLY NOTARIZE, IF YOU DO NOT SIGN "UNDER PENALTIES OF PERJURY"

Sworn to and subscribed before me this _____ day of _____, 20____

_____ My Commission Expires: _____

CERTIFICATE OF SERVICE

I certify that a copy hereof has been furnished to Hon. Ann Cole, Clerk, FPSC
Tampa Electric Co Samantha M. Cibula, FPSC 2540 Schumard Oak Blvd
Tallahassee, FL32399-0850 & P.O. Box 111, Tampa, FL 33601
(insert name(s) and address(es) of attorney(s) party(ies) in the case) by mail
this 26th day of February, 2013.

Edward McDonald
Signature of Petitioner/Appellant

IN THE SUPREME COURT OF FLORIDA

Petitioner

Supreme Court Case No. _____

Lower Tribunal Case No. _____

vs.

Respondent

CERTIFICATE REGARDING INMATE ACCOUNT

(Department of Corrections' Representative:
Please sign applicable portion of certificate)

I certify that petitioner does not have a bank account within the institution in which he or she is confined.

Signature of Authorized Officer of Institution

Name: _____

Institution: _____

Address: _____

Date: _____

-or-

I certify that the petitioner has the sum of \$ _____ on account to his or her credit at _____ Correctional Institution where he or she is confined. I further certify that during the last six months the petitioner's average daily balance was \$ _____. (Attach a statement of the inmate's bank account for last six months.)

Signature of Authorized Officer of Institution

Name: _____

Institution: _____

Address: _____

Date: _____

UNITED STATES BANKRUPTCY COURT
Middle District of Florida

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on February 5, 2013 . You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. **NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.**

**Creditors – Do not file this notice with any proof of claim you submit to the court.
See Reverse Side For Important Explanations**

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):
Edward Glenn McDonald
7203 N 41st St
Tampa, FL 33604

Case Number:
8:13-bk-01478-MGW

Social Security/Taxpayer ID/Employer ID/Other Nos.:

Attorney for Debtor(s) (name and address):
Edward Glenn McDonald
7203 N 41st St
Tampa, FL 33604
Telephone number: 813-374-3837

Bankruptcy Trustee (name and address):
Susan K. Woodard
Trustee
PO Box 7828
St. Petersburg, FL 33734-7828
Telephone number: 727-521-3355

Meeting of Creditors

Debtor(s) must present Photo ID and acceptable proof of Social Security Number at § 341 meeting.
You are reminded that Local Rule 5073-1 restricts the entry of cellular telephones into the Courthouse.

Date: **March 13, 2013**

Time: **02:00 PM**

Location: **Room 100-C, 501 East Polk St., (Timberlake Annex), Tampa, FL 33602**

Presumption of Abuse under 11 U.S.C. § 707(b)

See "Presumption of Abuse" on reverse side.

Insufficient information has been filed to date to permit the clerk to make any determination concerning the presumption of abuse. If more complete information, when filed, shows that the presumption has arisen, creditors will be notified.

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

**Deadline to File a Complaint Objecting to Discharge of the Debtor or to Challenge Dischargeability of Certain Debts:
May 13, 2013**

Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.

Creditor with a Foreign Address

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

Address of the Bankruptcy Clerk's Office:
Sam M. Gibbons United States Courthouse
801 North Florida Avenue, Suite 555
Tampa, FL 33602
Telephone number: 813-301-5162

For the Court:
Clerk of the Bankruptcy Court:
Lee Ann Bennett

Hours Open: Monday – Friday 8:30 AM – 4:00 PM

Date: February 8, 2013

Notice is further given that effective on the date of the Petition, the United States Trustee appointed the above named individual as interim trustee pursuant to 11 USC § 701.

Supreme Court of Florida

TUESDAY, FEBRUARY 12, 2013

CASE NO.: SC13-160

EDWARD MCDONALD

vs. FLORIDA PUBLIC SERVICE
COMMISSION


Appellant(s)

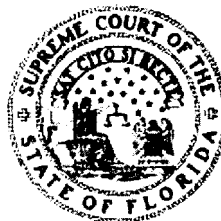
Appellee(s)

The jurisdiction of this Court was invoked by the filing of a Notice of Appeal in the lower tribunal; however, said notice was not accompanied by the \$300.00 filing fee or an order of insolvency from the district court of appeal as required by Florida Rules of Appellate Procedure 9.110(b) and 9.120(b). The filing fee is due and payable at the time of filing the notice. Petitioner is allowed to and including March 14, 2013, in which to submit the filing fee or an order of insolvency. Failure to submit either of the above referenced documents to this Court could result in the imposition of sanctions, including dismissal of the notice.

Please understand that once this case is dismissed, it is not subject to reinstatement.

A True Copy
Test:


Thomas D. Hall
Clerk, Supreme Court



tg
Served:

HON. ANN COLE, CLERK
TAMPA ELECTRIC COMPANY
EDWARD MCDONALD
SAMANTHA M. CIBULA