

**Eric Fryson**

---

**From:** A Tobin <tobinlaw2@gmail.com>  
**Sent:** Tuesday, March 19, 2013 4:27 PM  
**To:** Filings@psc.state.fl.us; AMT  
**Attachments:** 2013-03-19 NNKPOA Renewd Petition 2 Intervene.pdf

--

Law Offices of Andrew M. Tobin  
P.O. Box 620  
Tavernier, FL 33070  
305.852.3388

DOCUMENT NUMBER-DATE

01377 MAR 19 2

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

**In re:**

Complaint of Robert D. Reynolds and Julianne C. Reynolds against Utility Board of the City of Key West, Florida d/b/a Keys Energy Services regarding extending commercial electrical transmission lines to each property owner of No Name Key, Florida.

DOCKET NO. 120054-EM

**NO NAME KEY PROPERTY OWNERS ASSOCIATION'S  
RENEWED PETITION TO INTERVENE**

No Name Key Property Owners Association, Inc. (the Association) pursuant to Chapters 120 and 366, Florida Statutes, and Rules 25-22.039, 28-106.201, and 28-106.205, Florida Administrative Code (FAC), hereby renews its petition to intervene in the above-styled matter as a party, and states as follows.

**ORDERS GRANTING INTERVENTION**

On March 17, 2012 Petitioner Reynolds, et al., filed a petition with the Public Service Commission (the Commission). Thereafter, by order dated May 22, 2012, the Commission granted party status to Monroe County based on its allegation it would lose the ability to enforce its land development regulations if the Commission should grant relief to Reynolds. Thereafter by order dated September 12, 2012, the Commission granted party status to the Association.

**REYNOLDS AMENDED PETITION**

On March 14, 2013, the PSC granted Reynolds motion to amend. On March 18, 2013, Reynolds served a "Second Amended Complaint."

As the Association seeks the same relief as set forth in Reynold's Second Amended Complaint, the Association should continue to be afforded full party status to participate this proceeding to resolve whether Monroe County may (through its Comprehensive Plan or land development regulations) frustrate the provision of electricity by Keys Energy by denying building permits to homeowners who desire to connect to the electrical grid.

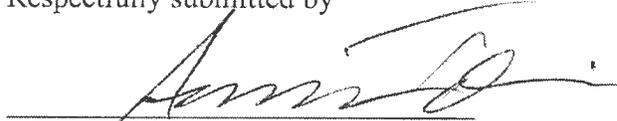
#### RESTATEMENT OF ASSOCIATION'S PETITION

The Association hereby re-states and re-alleges its prior Petition (filed on 7/26/12) as if set forth herein.

#### CONCLUSION

Based on the foregoing, No Name Key Property Owner's Association, Inc., prays for an order that allows it to continue to be accorded full party status in the proceedings as amended.

Respectfully submitted by



Andrew M. Tobin, Esq.  
Florida Bar No. 184825  
Counsel for No Name Key Property Owners  
Association, Inc  
P.O. Box 620  
Tavernier, Florida  
(305) 852-3388  
[tobinlaw@terranova.net](mailto:tobinlaw@terranova.net)  
[tobinlaw2@gmail.com](mailto:tobinlaw2@gmail.com)

#### CERTIFICATE OF SERVICE

I CERTIFY THAT a true copy of the foregoing was furnished to the following persons by email only on this 19<sup>th</sup> day of March 2013.

**ROBERT S. WRIGHT and  
JOHN T. LAVIA, III**  
Attorney for Monroe County  
1300 Thomaswood Drive  
Tallahassee, Florida 32308  
Telephone (850) 385-0070  
Facsimile (850) 385-5416

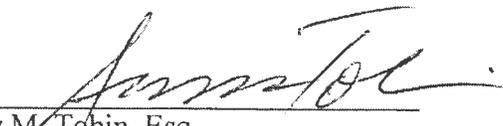
**BARTON W. SMITH, ESQ. and  
GREGORY S. OROPEZA, ESQ.,**  
Attorney for Reynolds  
624 Whitehead Street  
Key West, FL 33040  
Tele: (305) 296-7227  
Fax:(305) 296-8448  
[Bart@bartonsmithpl.com](mailto:Bart@bartonsmithpl.com)  
[Greg@bartonsmithpl.com](mailto:Greg@bartonsmithpl.com)

**J.R. KELLY, ESQ.**  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, Florida 32399-1400  
[KELLY.JR@leg.state.fl.us](mailto:KELLY.JR@leg.state.fl.us)

**ROBERT B. SHILLINGER, ESQ.**  
Chief Assistant County Attorney  
1111 12th Street, Suite 408  
Key West, Florida 33040  
Telephone (305) 292-3470  
Telecopier (305) 292-3516

**NATHAN EDEN, ESQ.,**  
Attorney for Keys Energy  
302 Southard Street, Suite 205B  
Key West FL 33040  
Tele: (305) 294-5588  
[dedenkwf@bellsouth.net](mailto:dedenkwf@bellsouth.net)

**LAWRENCE HARRIS, ESQ.  
MARTHA C. BROWN, ESQ.**  
Office of the General Counsel  
Public Service Commission  
2540 Shumard Oak Boulevard Tallahassee,  
Florida 32399  
Tele: (850) 413-6187  
[lharris@psc.state.fl.us](mailto:lharris@psc.state.fl.us)  
[mcbrown@psc.state.fl.us](mailto:mcbrown@psc.state.fl.us)

  
Andrew M. Tobin, Esq.