

State of Florida



## Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** June 25, 2014  
**TO:** Carlotta Stauffer, Commission Clerk, Office of Commission Clerk  
**FROM:** Martha Brown, Senior Attorney, Office of the General Counsel  
**RE:** Docket Number 140059-EM - Notice of new municipal electric service provider and petition for waiver of Rule 25-9.044(2), F.A.C., by Babcock Ranch Community Independent Special District.

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Please place the attached correspondence from Babcock Ranch Community Independent District in the referenced docket file.

MCB/ace  
Attachment

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June 25, 2014

*(Via Electronic Mail)*

Braulio L. Baez, Esq.  
Executive Director  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Docket 140059-EM – Notice of new municipal electric service provider and petition for waiver of Rule 25-9.044(2), F.A.C., by Babcock Ranch Community Independent Special District.

Dear Braulio:

So that it may have the opportunity to discuss the possibility of settling with the Lee County Electric Cooperative (“LCEC”) and Florida Power & Light Company (“FPL”) the issues raised in the above-referenced docket, the Babcock Ranch Community Independent Special District (“District”) respectfully requests deferral of the Florida Public Service Commission’s (“Commission”) consideration of the District’s Notice of New Municipal Electric Service Provider and Petition for Waiver of Rule 25-9.044(2), F.A.C., as well as all dispositive motions filed in this docket, to the next regularly scheduled Commission Agenda Conference currently identified on the Commission’s calendar as occurring August 12, 2014.

The District understands that the August 12 Agenda Conference occurs after the date by which the Commission must, pursuant to s. 120.542(8), Florida Statutes, grant or deny its Petition for Waiver of Rule 25-9.044(2), F.A.C., lest the waiver be deemed granted. Therefore, the District agrees that if this request for deferral is granted, the deadline for its statutory entitlement to a disposition of its Petition shall be tolled until September 12, 2014.

Braulio L. Baez, Esq.

June 25, 2014

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The District has conferred with FPL regarding this request and is authorized to represent that FPL is not opposed to deferral for the purpose of discussing a settlement. Counsel for LCEC has been contacted regarding this request, but as of the delivery of this letter, has not responded. As soon as I am informed of LCEC's position on this request I will provide you with an update. Should you have any questions or need clarification of this request, please contact me.

Sincerely,



William C. Garner

*Counsel for Babcock Ranch Community  
Independent Special District*

cc: D. Bruce May, Jr., Esq. (counsel for Lee County Electric Cooperative)  
Scott Goorland, Esq. (counsel for Florida Power & Light)  
S. Curtis Kiser, Esq. (PSC General Counsel)  
Martha Brown, Esq.