

State of Florida



## Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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

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**DATE:** June 25, 2014  
**TO:** Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk  
**FROM:** Mary Anne Helton, Deputy General Counsel *MAH*  
**RE:** Docket No. 13-212-WS

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It appears the attached e-mail was inadvertently sent to Commissioner Lisa Edgar on June 17, 2014. It is my understanding she did not read the e-mail, but in an abundance of caution I am forwarding it to you to be placed in the docket file for Docket No. 130212-WS.

Cc: Braulio Baez  
Roberta Walton

RECEIVED-FPSC  
14 JUN 25 PM 4: 18  
COMMISSION  
CLERK

## Mary Anne Helton

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**From:** Lisa Edgar  
**Sent:** Tuesday, June 17, 2014 11:51 AM  
**To:** Braulio Baez  
**Cc:** Mary Anne Helton; Mil Jubinsky  
**Subject:** Re: Docket No. 130212-WS; Cypress Lakes Utilities, Inc. Rate Case

Wrong Lisa?

*Sent from my Verizon Wireless 4G LTE DROID*

Braulio Baez <[BBaez@PSC.STATE.FL.US](mailto:BBaez@PSC.STATE.FL.US)> wrote:

Can I get a briefing on this?

Sent from my T-Mobile 4G LTE Device

----- Original message -----

**From:** Mary Anne Helton <[MHelton@PSC.STATE.FL.US](mailto:MHelton@PSC.STATE.FL.US)>  
**Date:** 06/17/2014 9:39 AM (GMT-05:00)  
**To:** Curt Kiser <[CKiser@PSC.STATE.FL.US](mailto:CKiser@PSC.STATE.FL.US)>, Braulio Baez <[BBaez@PSC.STATE.FL.US](mailto:BBaez@PSC.STATE.FL.US)>, Lisa Harvey <[LSHarvey@PSC.STATE.FL.US](mailto:LSHarvey@PSC.STATE.FL.US)>, Andrew Maurey <[AMaurey@PSC.STATE.FL.US](mailto:AMaurey@PSC.STATE.FL.US)>  
**Cc:** Jennifer Crawford <[jcrawfor@psc.state.fl.us](mailto:jcrawfor@psc.state.fl.us)>, Samantha Cibula <[SCibula@PSC.STATE.FL.US](mailto:SCibula@PSC.STATE.FL.US)>, Adam Teitzman <[ATeitzma@PSC.STATE.FL.US](mailto:ATeitzma@PSC.STATE.FL.US)>  
**Subject:** Fwd: Docket No. 130212-WS; Cypress Lakes Utilities, Inc. Rate Case

Sent from my iPad

Begin forwarded message:

**From:** "Adam Teitzman" <[ATeitzma@PSC.STATE.FL.US](mailto:ATeitzma@PSC.STATE.FL.US)>  
**To:** "Curt Kiser" <[CKiser@PSC.STATE.FL.US](mailto:CKiser@PSC.STATE.FL.US)>, "Mary Anne Helton" <[MHelton@PSC.STATE.FL.US](mailto:MHelton@PSC.STATE.FL.US)>, "Keino Young" <[KYOUNG@PSC.STATE.FL.US](mailto:KYOUNG@PSC.STATE.FL.US)>  
**Cc:** "Samantha Cibula" <[SCibula@PSC.STATE.FL.US](mailto:SCibula@PSC.STATE.FL.US)>  
**Subject:** FW: Docket No. 130212-WS; Cypress Lakes Utilities, Inc. Rate Case

fyi

From: Martin S. Friedman [<mailto:mfriedman@ffllegal.com>]  
Sent: Tuesday, June 17, 2014 8:51 AM

To: Steve Reilly; Jennifer Crawford; Adam Teitzman  
Cc: John Hoy ; Patrick Flynn ; Darrien Pitts; John Stover; John Williams  
Subject: Docket No. 130212-WS; Cypress Lakes Utilities, Inc. Rate Case

Steve, Jennifer and Adam,

Attached is Cypress Lakes Utilities, Inc.'s protest of the PAA Order which CLU reluctantly had to file. As you know, OPC in a different Docket has taken the position that if the PAA Order is not protested as to a certain issue that it become administratively final and res judicata as well. Although I disagree with that interpretation, the Commission has not yet addressed that argument in the other Docket (Staff Rec. is due July 31), so CLU had to file this Protest.

Although you will likely not admit it to me, you have to agree that the manner in which the Commission picked the reduction in rate case expense at 25% is arbitrary and indefensible. CLU is sensitive about incurring rate case expense to argue rate case expense (Chairman Graham warned his fellow Commissioners about this when he dissented). Thus, CLU proposes a settlement by which the Commission would not deduct the 25%, and CLU would agree to an amortization period of 5 years. Keep in mind that CLU's last rate case concluded in 2006 and it has been 3 years since rate case expense was fully amortized from that rate case. It does not appear as if CLU will have any capital projects in the next 5 years to necessitate a rate case during the 5 year amortization period.

Please do not hesitate to contact me to discuss this proposal. CLU would like to minimize post-PAA Order rate case expense.

Regards, Marty

MARTIN S. FRIEDMAN

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