



August 29, 2014

BY ELECTRONIC FILING

Carlotta S. Stauffer, Commission Clerk
Room 152, Gunter Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Docket No. 140142-EM
Board of County Commissioners, Indian River County, Florida
Request for Oral Argument

Dear Ms. Stauffer:

On behalf of the Board of County Commissioners, Indian River County, Florida, attached for filing in the above referenced docket is an electronic copy of the Board's Request for Oral Argument on its Consolidated Response and Objections to The Motions to Dismiss and Other Intervenor and Amicus Curiae Substantive Responses in Opposition to the Board's Petition For Declaratory Statement, and the Board's Request For Reconsideration Of Order No. PSC-14-0423. If there are any questions regarding this matter, please contact me at 702-0090.

Thank you for your assistance with this filing.

Sincerely yours,

s/ Floyd R. Self

Floyd R. Self, B.C.S.
Counsel for Indian River County

FRS/bhs
Enclosures

cc: Dylan Reingold, Esq., County Attorney
Certificate of Service List Attached

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for declaratory statement or)	
other relief regarding the expiration of the)	
Vero Beach electric service franchise)	Docket No.: 140142-EM
agreement, by the Board of County)	Filed: August 29, 2014
Commissioners, Indian River County,)	
Florida.)	
_____)	

**THE BOARD OF COUNTY COMMISSIONERS, INDIAN RIVER COUNTY,
REQUEST FOR ORAL ARGUMENT**

The Board of County Commissioners, Indian River County, Florida (the “Board”), by and through its undersigned counsel, pursuant to Rule 25-22.0022, Florida Administrative Code, hereby requests that the Florida Public Service Commission (“PSC” or “Commission”) grant oral argument as requested herein on The Board of County Commissioners, Indian River County, Consolidated Response and Objections to The Motions to Dismiss and Other Intervenor and Amicus Curiae Substantive Responses in Opposition to the Board’s Petition For Declaratory Statement, and the Board’s Request For Reconsideration Of Order No. PSC-14-0423 (“Board Response”) separately filed today. In support of this request, the Board states as follows:

1. In response to the Board’s Petition for Declaratory Statement and Such Other Relief as May Be Required (“Petition”) initiating this matter, which includes 14 discrete questions presented to the Commission for its consideration and declaration, three electric utilities have intervened and filed substantive responses, two of the intervenors have also filed motions to dismiss, and four other entities have filed briefs, memoranda, or comments as amici constituting nearly 100 pages of commentary generally in opposition to the Petition. The Board Response addresses both COVB’s Motion to Dismiss as well as the Motion to Dismiss of the

Orlando Utilities Commission (“OUC”) along with all of the various other intervenor and amicus comments, memoranda of law, or other such responses that have been submitted in opposition to the Board’s Petition (collectively, the “Petition Responses”). The overall situation presented by the Petition is unique and limited, and while the Board disputes the extreme consequences hypothesized by some of the Petition Responses, the Board believes that a full and fair exploration of the issues raised merits the opportunity for the Board and others to present their positions and arguments to the Commission and, more importantly, to answer the likely questions each of the Commissioners may have.

2. The City of Vero Beach also seeks by separate request oral argument from the Commission on its Motion to Dismiss and Response in Opposition to Indian River County’s Petition for Declaratory Statement and Other Relief (the “Motion and Response”) filed on August 14, 2014, and several of the other responders have in some form requested to participate in any oral argument that may be granted.

3. Based upon the volume of documents filed in this matter and the issues and arguments raised, oral argument will aid in the Commission’s understanding and evaluation of the Petition and the issues to be decided. The Board respectfully requests that an appropriate amount of time to discuss the Petition, the motions to dismiss and the other substantive responses to the Petition, and the Board Response would be 30 minutes to each side, with those opposed to the Petition deciding how to allocate the 30 minutes amongst themselves.

4. In addition, the Board is also seeking reconsideration of the Prehearing Officer’s order granting intervention to the Orlando Utilities Commission (“OUC”). Given the fact that this order was issued prior to the expiration of the 7 day response period authorized by Rule 28-106.205(1), Florida Administrative Code, the Board believes that a further request be granted for

a separate oral argument on the Board's reconsideration motion and any OUC response that may hereafter be filed. The Board believes that a separate argument of 5 minutes be granted each to the Board and OUC to present their arguments on this separate motion.

WHEREFORE, the Board of County Commissioners, Indian River County, Florida, respectfully requests that the Florida Public Service Commission grant oral argument in this matter, providing 30 minutes to each side as set forth herein, and that the Commission grant the Board and OUC 5 minutes each to address the Board's motion for reconsideration of the prehearing officer's order granting intervention to OUC.

Respectfully submitted,

s/ Floyd R. Self

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Counsel for the Board of County Commissioners, Indian River County, Florida

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to the following, by electronic delivery, on this the 29th day of August, 2014.

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