

IN THE SUPREME COURT OF FLORIDA

CITIZENS OF THE STATE OF
FLORIDA, THROUGH THE
FLORIDA OFFICE OF PUBLIC
COUNSEL,

Appellants,

Case No.: SC15-113

Lower Tribunal No.: 150001-EI

vs.

ART GRAHAM, ETC.,
ET AL.

Appellee(s).

**CITIZENS' DIRECTIONS TO CLERK OF THE FLORIDA PUBLIC
SERVICE COMMISSION AND STATEMENT OF ACTS TO BE
REVIEWED**

Pursuant to Rule 9.200(a)(3), Florida Rules of Appellate Procedure, the Citizens of the State of Florida (“Citizens”), through the Office of Public Counsel (“OPC”), hereby direct the Clerk of the Florida Public Service Commission to include in the record described in Rule 9.220, Florida Rules of Appellate Procedure, the items identified herein.

Within these Directions, “OPC” or “Citizens” means the Office of Public Counsel; “FPL” refers to Florida Power & Light Company; “FIPUG” is the

acronym for the Florida Industrial Power Users Group; and “FRF” means the Florida Retail Federation.

1. As stated in Citizens’ Notice of Administrative Appeal, in the above case, Citizens’ appeal Order No. PSC15-0038-FOF-EI. Order No. PSC-15-0038-FOF-EI was the Final Order Granting Florida Power & Light Company’s Petition For Approval of Proposed Gas Reserve Project as requested by FPL’s June 25, 2014 Petition. Accordingly, unless otherwise specifically listed below, please exclude from the record on appeal all pleadings, orders, prefiled testimony, transcripts of hearings, exhibits, and all other documents in the docket file of Docket Nos. 150001-EI and 140001-EI that relate to and are associated with the petitions filed by Duke Energy Florida, Tampa Electric Company, Gulf Power Company, and Florida Public Utilities Company. It is the intent of these Directions to exclude all documents that relate solely to utilities other than FPL, and to include documents that relate only to the gas reserves project presented in FPL’s June 25, 2014 Petition.

2. For clarification purposes, any document numbers ending in “-14” are from Docket No. 140001-EI, and any document numbers ending in “-15” are from Docket No. 150001-EI. The majority of the record is located in Docket 140001-EI as Docket No. 140001-EI was inexplicably closed before the issuance of Order No. PSC-15-0038-FOF-EI occurred.

3. With respect to the pleadings, testimony, and exhibits relating to and associated with the petitions for approval submitted by Florida Power & Light Company in Docket Nos. 140001-EI and 150001-EI, Citizens direct the Clerk to include in the record on appeal only the following portions of the docket file in Docket Nos. 140001-EI and 150001-EI:

Document Number	Date Posted	Item
00001-14	January 2, 2014	Order No. PSC-14-0001-PCO-EI
00017-14	January 2, 2013	FIPUG's Notice of Intent to Retain Party Status
00032-14	January 3, 2014	FRF's Notice Reaffirming Party Status
00068-14	January 6, 2014	FPL's Notice of Intent to Retain Party Status
00141-14	January 9, 2014	OPC's Notice Reaffirming Party Status
03280-14	June 25, 2014	FPL's Petition for Approval to Recover Gas Reserve Project Costs Through the Fuel Clause with attached testimony and exhibits

Document Number	Date Posted	Item
03828-14	July 18, 2014	Letter dated 7/18/14 with replacement version of Petition for Approval to Recover Gas Reserve Project Costs Through the Fuel Clause with attached testimony and exhibits
04161-14	August 1, 2014	Joint motion for approval of stipulation for schedule to decide on gas reserve project issues and deferral of St. Lucie Unit 2 extended refueling outage issue
04670-14	August 22, 2014	Order No. PSC-14-0439-PCO-EI establishing procedure for FPL's deferred issues
04702-14	August 22, 2014	OPC's Motion to Dismiss FPL's June 25, 2014 Petition for Lack of Subject Matter Jurisdiction
04713-14	August 22, 2014	OPC's Request for Oral Argument

Document Number	Date Posted	Item
		on Motion to Dismiss FPL's June 25, 2014 Petition for Lack of Subject Matter Jurisdiction
04842-14	August 29, 2014	FPL's Response in Opposition to OPC's Motion to Dismiss FPL's June 25, 2014 Petition for Lack of Subject Matter Jurisdiction
05177-14	September 15, 2014	FPL – Withdrawal of request for confidential classification of certain information provided in testimony supporting petition for prudence determination regarding acquisition of gas reserves
06046-14	October 27, 2014	FPL's Prehearing Statement
06048-14	October 27, 2014	OPC's Prehearing Statement
06051-14	October 27, 2014	FRF's Prehearing Statement
06052-14	October 27, 2014	White Springs Prehearing

Document Number	Date Posted	Item
		Statement
06053-14	October 27, 2014	FIPUG's Prehearing Statement regarding FPL's Petition to recover oil and gas exploration and production costs via the Fuel Clause
06236-14	November 7, 2014	Transcript 11/6/14 Prehearing Conference
06252-14	November 10, 2014	FIPUG's Notice of joinder of OPC's motion to dismiss for lack of subject matter jurisdiction
06298-14	November 13, 2014	Recommendation for 11/25/14 Commission Conference, Item 2
06479-14	November 25, 2014	Vote sheet from 11/25/14 Commission conference, Item 2
06540-14	December 2, 2014	Transcript Vol. 1, pages 1-168 of 12/1/14 hearing on gas reserves for FPL

Document Number	Date Posted	Item
06541-14	December 2, 2014	Transcript Vol. 2, pages 169-314 of 12/1/14 hearing on gas reserves for FPL
06545-14	December 2, 2014	Transcript 11/25/14 Commission conference, Item 2
06549-14	December 2, 2014	Transcript Vol. 3, pages 315-466 of 12/1/14 hearing on gas reserves for FPL
06552-14	December 3, 2014	Transcript Vol. 4, pages 467-535 of 12/1/14 hearing on gas reserves for FPL
06555-14	December 3, 2014	Transcript Vol. 5, pages 536-662 of 12/1/14 hearing on gas reserves for FPL
06556-14	December 3, 2014	Transcript Vol. 6, pages 663-871 of 12/2/14 hearing on gas reserves for FPL
06568-14	December 3, 2014	Transcript Vol. 7, pages 872-994 of

Document Number	Date Posted	Item
		12/2/14 hearing on gas reserves for FPL
06570-14	December 3, 2014	Transcript Vol. 8, pages 995-1101 of 12/2/14 hearing on gas reserves for FPL
06617-14	December 8, 2014	Transcript Corrected Vol. 8, pages 995-1101 of 12/2/14 hearing on gas reserves for FPL
06618-14	December 8, 2014	Hearing Exhibits 1-69 (include all non-confidential and confidential exhibitis) for gas reserve hearing for FPL held on 12/1-2/14
06721-14	December 12, 2014	FPL's Post-hearing Brief
06723-14	December 12, 2014	Citizens' Post-hearing Statement of Positions and Post-hearing Brief
06724-14	December 12, 2014	FIPUG's Post-hearing Statement of Issues and Positions and Post-hearing Brief

Document Number	Date Posted	Item
06725-14	December 12, 2014	FRF's Notice of Joinder in the Citizens' post-hearing statement of positions and post-hearing brief
06780-14	December 17, 2014	Order No. PSC-14-0697-PCO-EI Denying OPC's Motion to Dismiss Petition for Lack of Subject Matter Jurisdiction
06785-14	December 17, 2014	Memo dated 12/17/14 with attached document for docket file
06796-14	December 18, 2014	Vote sheet from 12/18/14 Commission conference, Item 3
06822-14	December 19, 2014	Final Order PSC-14-0701-FOF-EI approving expenditures and true-up amounts for fuel adjustment factors; GPIF targets, ranges, and rewards; and projected expenditures and true-up amounts for capacity cost recovery factors;

Document Number	Date Posted	Item
		docket to remain open
06823-14	December 19, 2014	Transcript 12/18/14 Commission conference, Item 3
00001-15	January 2, 2015	Order PSC-15-0001-PCO-EI establishing 2015 docket number. [CLK note: Docket 140001 will be closed on issuance of this order.]
00026-15*	January 5, 2015	FPL's Notice of intent to retain party status
00031-15*	January 5, 2015	FIPUG's Notice of intent to retain party status
00099-15*	January 6, 2015	OPC's Notice reaffirming party status
00108-15*	January 6, 2015	FRF's Notice reaffirming party status
00195-15*	January 12, 2015	Order No. PSC-15-0038-FOF-EI
00204-15*	January 12, 2015	FPL's Post-hearing brief on gas

Document Number	Date Posted	Item
00217-15*	January 12, 2015	reserves guidelines Citizens' Post-hearing statement of positions and post-hearing brief
00225-15*	January 12, 2015	FRF's Notice of joinder in Citizens' post-hearing statement of positions and post-hearing brief
00227-15*	January 12, 2015	FIPUG's Post-hearing statement of issues and positions and post-hearing brief related to FPL's proposed guidelines for future oil and gas exploration/drilling/production projects
00316-15	January 15, 2015	OPC Notice of administrative appeal [CLK note: Docket reopened and placed in litigation status. Changed GCL to OPR and AFD to OCR.]

Document Number	Date Posted	Item
00328-15	January 16, 2015	Copy of letter dated January 16, 2015 to Florida Supreme Court/Tomasino forwarding copy of notice of administrative appeal and attachment, Order PSC-14-0697-PCO-EI
00347-15*	January 20, 2015	OPC - Notice of administrative appeal [of Order PSC-15-0038-FOF-EI].
00358-15	January 20, 2015	Copy of letter dated 1/20/15 to Supreme Court/Tomasino forwarding a copy of a notice of administrative appeal and attached Order PSC-15-0038-FOF-EI; advises appeal was filed on behalf of the Citizens of the State of Florida
00472-15	January 23, 2015	FIPUG – Notice of filing with

Document Number	Date Posted	Item
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attached documents previously
produced to FIPUG by FPSC
pursuant to a public records request
relating to FPL's oil and gas
exploration and production petition

*Indicates documents filed in Docket No. 150001-EI as the Commission closed Docket No. 140001-EI before this appeal was timely filed.

STATEMENT OF ACTS TO BE REVIEWED

Pursuant to Rule 9.200(a)(3), OPC provides with these Directions the following statement of acts to be reviewed. In Order No. 15-0038-FOF-EI, the Commission issued a Final Order granting FPL's Petition for approval of a proposed gas reserve project. Order No. PSC-15-0038-FOF-EI involves only those issues related to FPL's Petition regarding a proposed gas reserves project, issues which were set forth as deferred issues in Order No. PSC-14-0439-PCO-EI. The proposed gas reserves project followed a different timeline from other events in Docket No. 140001-EI, including different discovery and hearing timelines, and spilled over into Docket No. 150001-EI. Therefore, the documents contained in these Directions to the Clerk are only those documents from the record that relate

to the issues raised by FPL's June 25 Petition seeking approval of a proposed gas reserves project.

J.R. Kelly
Public Counsel
Florida Bar No. 0768359
kelly.jr@leg.state.fl.us



John J Truitt
Associate Public Counsel
Florida Bar No. 0084752
truitt.john@leg.state.fl.us

Charles J. Rehwinkel
Deputy Public Counsel
Florida Bar No. 0527599
rehwinkel.charles@leg.state.fl.us

c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
(850) 488-9330

Attorneys for Citizens of
the State of Florida

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and copy of the foregoing **OPC'S DIRECTIONS TO CLERK OF THE FLORIDA PUBLIC SERVICE COMMISSION AND STATEMENT OF ACTS TO BE REVIEWED** has been furnished by electronic mail on this 26th day of January, 2015, to the following:

Samantha Cibula, Esq.
Martha Barrera, Esq.
Office of General Counsel
FL Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL32399-0850

John T. Burnett, Esq.
Dianne M. Triplett, Esq.
Duke Energy
299 First Avenue North
St. Petersburg, FL 33701

Beth Keating, Esq.
Gunster Law Firm
215 S. Monroe St., Suite 601
Tallahassee, FL 32301-1804

Michael Barrett
Division of Economic Regulation
FL Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

James D. Beasley, Esq.
J. Jeffrey Wahlen, Esq.
Ashley M. Daniels, Esq.
Ausley & McMullen
P.O. Box 391
Tallahassee, FL 32302

Jeffrey A. Stone, Esq.
Russell A. Badders, Esq.
Steven R. Griffin, Esq.
Beggs & Lane
P.O. Box 12950
Pensacola, FL 32591-2950

PCS Phosphate-White Springs
c/o James W. Brew, Esq.
Brickfield, Burchette, Ritts & Stone, P.C.
10215 Thomas Jefferson St., NW
Eighth Floor, West Tower
Washington, DC 20007-5201

John T. Butler, Esq.
Assistant General Counsel
Florida Power & Light Co.
700 Universe Blvd. (LAW/JB)
Juno Beach, FL 33408-0420

Florida Retail Federation
c/o Robert Scheffel Wright, Esq.
John T. LaVia, III, Esq.
Gardner, Bist, Wiener, et. al
1300 Thomaswood Drive
Tallahassee, FL 32308

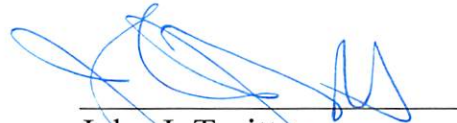
Ken Hoffman
Florida Power & Light Company
215 South Monroe St., Suite 810
Tallahassee, FL 32301-1858

Florida Industrial Power Users Group
c/o Jon C. Moyle, Esq.
Moyle Law Firm, P.A.
118 N. Gadsden St.
Tallahassee, FL 32301

Cheryl Martin
Florida Public Utilities Company
1641 Worthington, Rd., Ste. 220
West Palm Beach, FL 33409

Robert L. McGee, Jr.
Gulf Power Company
One Energy Place
Pensacola, FL 32520-0780

Paula K. Brown
Tampa Electric Company
PO Box 111
Tampa, FL 33601



John J. Truitt
Associate Public Counsel