

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for modification of territorial order based on changed legal circumstances emanating from Article VIII, Section 2(c) of the Florida Constitution, by the Town of Indian River Shores.

Docket No.: 160049-GU

Filed: December 7, 2016

JOINT MOTION TO HOLD DOCKET IN ABEYANCE

The Town of Indian River Shores (the "Town") and the City of Vero Beach (the "City"), pursuant to Rule 25-106.204, Florida Administrative Code, jointly request the Prehearing Officer assigned to this docket to issue an order holding this proceeding in abeyance. In support of this motion, the Town and the City state:

1. This proceeding was initiated on March 4, 2016 when the Town filed a petition to modify the Commission's Order approving a territorial agreement among and between the Town and Florida Power & Light Company ("FPL").

2. On November 30, 2016, at the City's request, FPL submitted a non-binding letter of intent to acquire the City's electric system within the Town (the "Partial Sale").

3. On December 6, 2016 the City voted to execute the non-binding letter of intent and pursue the Partial Sale, consummation of which would resolve the issues in dispute in this docket.

4. By holding further proceedings in this docket in abeyance, the parties can concentrate their efforts on due diligence and consummating the Partial Sale.

5. If the Partial Sale is formally approved by the City during the time that this proceeding is held in abeyance, the Town and the City will notify the Commission as soon as practicable.

6. The Town and the City are authorized to represent that FPL would support this matter being held in abeyance.

WHEREFORE, the Town and the City jointly move the Prehearing Officer to issue an order holding this matter in abeyance.

Dated this 7th day of December, 2016.

Respectfully submitted,

Holland & Knight LLP
315 S. Calhoun Street, Suite 600
Tallahassee, Florida 32301

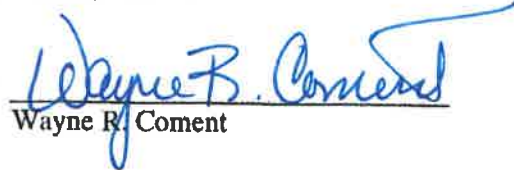
Attorneys for the Town of Indian
River Shores

By:


D. Bruce May, Jr.

Wayne R. Coment
City Attorney
City of Vero Beach
1053 20th Place
Vero Beach, FL 32960

By:


Wayne R. Coment

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of December, 2016, the foregoing has been filed via electronic filing to Ms. Carlotta Stauffer, Commission Clerk, Florida Public Service Commission and that a true and correct copy of the foregoing has been served by email to:

Kathryn Cowdery
kcowdery@psc.state.fl.us
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

with courtesy copies being provided by email to:

Jessica Cano
Senior Attorney
Jessica.Cano@fpl.com
Florida Power & Light
Company
700 Universe Boulevard
Juno Beach, FL 33408

Patrick Bryan
Senior Counsel
Patrick.Bryan@fpl.com
Florida Power & Light
Company
700 Universe Boulevard
Juno Beach, FL 33408

Kenneth Hoffman
Vice President Regulatory Affairs
Ken.Hoffman@fpl.com
Florida Power & Light
Company
215 S. Monroe Street, Ste 810
Tallahassee, FL 32301

/s/D. Bruce May, Jr.
D. Bruce May, Jr.