BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to determine need for	DOCKET NO. 20170266-EC
Seminole combined cycle facility, by	
Seminole Electric Cooperative, Inc.	
In re: Joint Petition to determine need for	DOCKET NO. 20170267-EC
the Shady Hills combined cycle facility, by	
Seminole Electric Cooperative, Inc. and	DATED: JANUARY 19, 2018
Shady Hills Energy Center, LLC.	

PETITIONERS' JOINT RESPONSE TO MOTION TO INTERVENE OF MICHAEL TULK AND PATRICK DALY

Seminole Electric Cooperative, Inc., and Shady Hills Energy Center, LLC (collectively, "Petitioners"), by and through undersigned counsel, and pursuant to Rule 28-2106.204, F.A.C., hereby respond to the Motion to Intervene of Michael Tulk and Patrick Daly, and state:

Petitioners take no position on the Motion to Intervene, subject to proof of standing at hearing. By taking no position on the motion, Petitioners do not agree with or concede any of the allegations or assertions in the motion. Furthermore, Petitioners dispute that the issues proposed by Mssrs. Tulk and Daly in addition to the issues listed in Attachment A of the Order Establishing Procedure are appropriate for inclusion in these proceedings. <u>See</u> Motion, at pp. 7-8 (proposed issues Nos. 6A - 9B).

RESPECTFULLY SUBMITTED this 19th day of January, 2018.

HOPPING GREEN & SAMS, P.A.

By: <u>/s/Gary V. Perko</u> Gary V. Perko, Esquire Brooke E. Lewis Malcolm N. Means P.O. Box 6526 Tallahassee, FL 32301 (850) 222-7500

Attorneys for Petitioner, SEMINOLE ELECTRIC COOPERATIVE, INC., AND SHADY HILLS ENERGY CENTER, LLC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

electronic mail to the following on this <u>19th</u> day of January, 2018:

Rachael Dziechciarz Stephanie Cuello FLORIDA PUBLIC SERVICE COMMISSION Office of the General Counsel 2540 Shumard Oak Boulevard Tallahassee, Florida 32390 rdziechc@psc.state.fl.us scuello@psc.state.fl.us

Attorneys for the PUBLIC SERVICE COMMISSION

Robert Scheffel Wright John T. LaVia, III GARDNER, BIST, BOWDEN, BUSH, DEE, LAVIA & WRIGHT, P.A. 1300 Thomaswood Drive Tallahassee, Florida 32308 <u>schef@gbwlegal.com</u> <u>jlavia@gbwlegal.com</u>

Attorneys for Quantum Pasco Power, L.P., Michael Tulk and Patrick Daly

<u>/s/Gary V. Perko</u> Attorney