FILED 8/9/2018 DOCUMENT NO. 05195-2018 FPSC - COMMISSION CLERK

COMMISSIONERS: ART GRAHAM, CHAIRMAN JULIE I. BROWN DONALD J. POLMANN GARY F. CLARK ANDREW GILES FAY

STATE OF FLORIDA



OFFICE OF COMMISSION CLERK CARLOTTA S. STAUFFER COMMISSION CLERK (850) 413-6770

Hublic Serbice Commission

August 9, 2018

Robert Scheffel Wright Gardner Law Firm 1300 Thomaswood Drive Tallahassee, Florida 32308

Re: Michael Tulk vs. Art Graham, Etc., Et Al., Florida Public Service Commission, PSC Docket No. 20170267-EC, Supreme Court Case No. SC18-1029

Dear Mr. Wright:

Enclosed for your review is the Index to the record on appeal for the above-referenced docket. The record is due to be filed in the Florida Supreme Court by October 9, 2018. Should you not provide any modifications to this index by September 25, 2018, the record will be filed as reflected herein. Thank you for your prompt attention to this matter.

Sincerely,

Carlotta S Stauffer

Carlotta S. Stauffer Commission Clerk

James Stansbury, Chief Cindy Mulkey Matthew Weidner Roy Belden William Bradley

CSS: nah Enclosure

cc:

John T. LaVia, III Kathryn Cowdery Samantha Cibula Gary V. Perko Brooke E. Lewis Malcolm N. Means David Ferrentino Trudy Novak James Maiz, President Michael Tulk Patrick Daly Ankur Mathur

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SC18-1029 INDEX (BY DATE)

PSC Docket No. 20170267-EC

Pursuant to Rule 9.200(d)(1)(B), Fla.R.App.P., the index shall indicate any confidential information in the record and if the information was determined to be confidential in an order, identify such order by date or docket number and record page number.

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02/15/2018	M. Tulk and P. Daly's notice of serving responses to Seminole's first set of interrogatories, Nos. 1-2	988-990
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02/19/2018	Seminole's rebuttal testimony of David Kezell and Exhibit Nos. DK-5 through DK-8; rebuttal testimony of Kyle D. Wood and Exhibits KDW-2 through KDW-5; rebuttal testimony of Tao Hong, Ph.D. and Exhibits TAO-1 and TAO-2; and rebuttal testimony of Alan S. Taylor3,	109-3,229

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02/20/2018	Commission Order PSC-2018-0093-CFO-EC granting Seminole's request for confidential classification to Commission Document Nos. 10828-2017 and 10829-2017 (sic) for a period of 18 months
02/22/2018	Seminole and Shady Hills' notice of service of objections and responses to Quantum's third set of interrogatories, Nos. 53-84, and third request for production of documents, Nos. 9-12
02/22/2018	Certificate of service of Commission staff's third set of interrogatories to Seminole, Nos. 42-62, to Seminole
02/22/2018	Certificate of service of Commission staff's second request for production of documents, No. 20, to Seminole and Shady Hills
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02/23/2018	Seminole's notice of service of second set of interrogatories, No. 2, to Quantum
02/23/2018	Seminole's notice of service of second request for production of documents, No. 4, to Quantum

02/23/2018	Seminole and Shady Hills' notice of service of response to Commission staff's second set of
	interrogatories, Nos. 35-41
02/26/2018	Certificate of service of Commission staff's fifth set of
	interrogatories, Nos. 67-68, to Seminole
02/26/2018	Certificate of service of Commission staff's fourth
	request for production of documents, No. 23, to Seminole and Shady Hills
02/27/2018	Seminole's notice of taking deposition to attorneys
	Robert Scheffel Wright and John T. Lavia, III, of corporate representative of Quantum to be held March 6, 2018
	a
02/27/2018	Certificate of service of Commission staff's sixth set of interrogatories, Nos. 69-70, to Seminole
	merrogatories, 1765. 09-76, to Seminore
02/27/2018	Seminole and Shady Hills' notice of service of
	supplemental production to Quantum's first request for production of documents, No. 4
02/27/2018	Seminole and Shady Hills' notice of service of
02/27/2010	supplemental production to Quantum's third request for
	production of documents, No. 9, and third set of interrogatories, No. 57
	interrogatories, No. 37
02/28/2018	Seminole's notice of withdrawal of second request for confidential classification of documents and information
	provided in response to Commission staff's first set of
	interrogatories and first request for production of documents
02/28/2018	Quantum, M. Tulk, and P. Daly's notice of taking
	depositions duces tecum to attorneys Gary V. Perko,
	Brooke E. Lewis and Malcolm N. Means of Julia Diazgranados to be held March 2, 2018; Kyle Wood
	to be held March 7, 2018; and Mike Ward to be held
	March 9, 2018
02/28/2018	Commission staff's cross-notice of deposition duces tecum
	to attorneys Gary V. Perko and Malcolm N. Means of Julia
	Diazgranados to be held March 2, 2018
02/28/2018	Seminole and Shady Hills' notice of service of amended
	responses to Commission staff's first request for production of documents, Nos. 1-19
	production of documents, 105, 1-17

02/28/2018	Seminole and Shady Hills' notice of service of supplemental production to Quantum's third request for production of documents
02/28/2018	Seminole's third request for confidential classification of certain information and documents provided in response to Commission staff's first set of interrogatories, Nos. 1-34, and first request for production of documents, Nos. 1-193,284-3,822
02/28/2018	CONFIDENTIAL Seminole's response to Commission staff's first set of interrogatories, Nos. 1-34, and first request for production of documents, Nos. 1-19ATTACHMENT THREE
**	(THIS CONFIDENTIAL DOCUMENT, ASSIGNED
	DOCUMENT NUMBER 01988-2018, HAS BEEN
	TRANSMITTED TO THE UPPER TRIBUNAL
	UNDER SEPARATE COVER)
03/01/2018	Commission Amendatory Order PSC-2018-0093A-CFO-EC
	amending scrivener's error to Commission Order
	PSC-2018-0093-CFO-EC, replacing referenced
	Commission Document No. 10828-2017 with
	10831-2017 and replacing Commission Document
	No. 10829-2017 with 10833-2017
03/01/2018	Seminole and Shady Hills' notice of supplemental
	response to Quantum's interrogatory, No. 38
03/01/2018	Seminole's fourth request for confidential classification
	of Seminole's response to Commission staff's second set
	of interrogatories, Nos. 35-41, specifically Nos. 35-36
03/01/2018	CONFIDENTIAL Seminole's response, specifically
	Nos. 35-36, to Commission staff's second set of
**	interrogatories, Nos. 35-41ATTACHMENT THREE
	(THIS CONFIDENTIAL DOCUMENT, ASSIGNED DOCUMENT NUMBER 02013-2018, HAS BEEN
	TRANSMITTED TO THE UPPER TRIBUNAL
	UNDER SEPARATE COVER)
03/02/2018	Seminole's notice of taking telephonic deposition
	to attorneys Robert Scheffel Wright and John T. Lavia, III, of P. Daly to be held March 8, 2018
	011. Daty to be field Match 6, 2016

03/02/2018	Seminole's notice of taking telephonic deposition to attorneys Robert Scheffel Wright and John T. Lavia, III, of M. Tulk to be held March 8, 2018	,838-3,840
03/02/2018	Seminole's notice of service of supplemental production to Quantum's request for production of documents, No. 7	841-3,842
03/02/2018	Commission staff's cross-notice of service of deposition duces tecum to attorneys Gary V. Perko and Malcom N. Means of Alan S. Taylor to be held March 5, 2018	843-3,846
03/05/2018	Commission staff's cross-notice of service of deposition duces tecum to attorneys Gary V. Perko and Malcom N. Means of Tao Hong to be held March 6, 20183,	847-3,850
03/05/2018	Commission staff's cross-notice of service of deposition duces tecum to attorneys Gary V. Perko and Malcom N. Means of Kyle Wood to be held March 7, 20183,	851-3,854
03/05/2018	Commission staff's cross-notice of service of deposition duces tecum to attorneys Gary V. Perko and Malcom N. Means of corporate representative of Seminole to be held March 9, 2018	855-3,858
03/05/2018	Commission staff's prehearing statement	859-3,863
03/05/2018	Seminole and Shady Hills' prehearing statement3,	864-3,877
03/05/2018	Quantum, M. Tulk, and P. Daly's prehearing statement3,	878-3,900
03/05/2018	Seminole and Shady Hills' notice of service of affidavits for responses to Commission staff's second set of interrogatories, Nos. 35-41	901-3,902
03/05/2018	Seminole's notice of service of amended second set of interrogatories, No. 2 and amended second request for production of documents, No. 2 to Quantum	903-3,904
03/06/2018	Seminole's second notice of scrivener's error3,	905-3,907
03/06/2018	Seminole's third notice of scrivener's error	908-3,909

03/06/2018	Commission staff's cross-notice of deposition duces tecum to attorneys Robert Scheffel Wright and John T. Lavia, III, of corporate representative of Quantum to be held March 8, 2018.	3 910-3 913
03/06/2018	Commission staff's cross-notice of deposition duces tecum to attorneys Robert Scheffel Wright and John T. Lavia, III, of P. Daly and M. Tulk to be held March 8, 2018	
03/08/2018	Seminole's motion for leave to file revised direct testimony of Julia A. Diazgranados and revised Exhibits JAD-6 and MPW-2	3,918-3,948
03/08/2018	Commission staff's notice of intent to introduce deposition exhibits into hearing record	3,949-3,951
03/08/2018	Seminole's notice of service of responses to Commission staff's fourth request for production of documents, No. 23	3,952-3,953
03/08/2018	Seminole's notice of service of responses to Commission staff's fifth set of interrogatories, Nos. 67-68	3,954-3,955
03/08/2018	Seminole's notice of service of responses to Commission staff's sixth set of interrogatories, Nos. 69-70	3,956-3,957
03/08/2018	Seminole's fifth request for confidential classification of responses to staff's fifth set of interrogatories, Nos. 67-68	3,958-3,964
03/08/2018	<u>CONFIDENTIAL</u> Seminole's responses to Commission staff's fifth set of interrogatories, Nos. 67-68ATTAC	
**	(THIS CONFIDENTIAL DOCUMENT, ASSIGNED DOCUMENT NUMBER 02190-2018, HAS BEEN TRANSMITTED TO THE UPPER TRIBUNAL UNDER SEPARATE COVER)	AMENT TAKEE
03/09/2018	Seminole's notice of service of errata sheets	3,965-3,970
03/09/2018	Seminole's notice of service of responses to Commission's second request for production of documents, No.20	3,971-3,972

03/09/2018	Seminole's notice of service of responses to Quantum's fourth set of interrogatories, Nos. 85-87
03/09/2018	Seminole's notice of service of responses to Quantum's fourth request for production of documents, No. 13
03/09/2018	Seminole's notice of service of supplemental responses to Quantum's third request for production of documents, Nos. 9-12
03/09/2018	Seminole's notice of intent to use deposition of Quantum corporate representative James Maiz, and depositions of M. Tulk and P. Daly
03/09/2018	Seminole's notice of intent to request confidential classification of response, specifically No. 58, of Commission staff's third set of interrogatories, Nos. 42-62
03/09/2018	CONFIDENTIAL Seminole's response, specifically No. 58, of Commission staff's third set of
**	interrogatories, Nos. 42-62ATTACHMENT THREE (THIS CONFIDENTIAL DOCUMENT, ASSIGNED DOCUMENT NUMBER 02223-2018, HAS BEEN TRANSMITTED TO THE UPPER TRIBUNAL UNDER SEPARATE COVER)
03/09/2018	Seminole's notice of service of responses to Commission staff's third request for production of documents, Nos. 21-22
03/09/2018	Seminole's notice of service of responses to Commission staff's third set of interrogatories, Nos. 42-62
03/09/2018	Seminole's notice of service of responses to Commission staff's fourth set of interrogatories, Nos. 63-66
03/12/2018	Seminole's sixth request for confidential classification of responses to Commission staff's third set of interrogatories, Nos. 42-62, specifically No. 58 entitled "Attachment Q-58"

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03/12/2018	CONFIDENTIAL Seminole's responses to Commission staff's third set of interrogatories, Nos. 42-62, specifically No. 58
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**	(THIS CONFIDENTIAL DOCUMENT, ASSIGNED
	DOCUMENT NUMBER 02241-2018, HAS BEEN
	TRANSMITTED TO THE UPPER TRIBUNAL
	UNDER SEPARATE COVER)
03/12/2018	Seminole and Shady Hills' response to intervenors'
	notice of intent to introduce portions of deposition of
	Michael Ward into hearing record
03/13/2018	Seminole and Shady Hills' notice of service of
	late-filed deposition exhibits of Kyle Wood4,000-4,001
03/14/2018	Quantum, M. Tulk, and P. Daly's notice of service
	of affidavit of intervenors' responses to Commission
	staff's first set of interrogatories, Nos. 1-34,002-4,003
03/14/2018	Commission staff's memo dated March 14, 2018 to
	Commission Clerk Carlotta S. Stauffer, confirming
	Seminole and Shady Hills waived the 135-day order
	issuance requirement of Section 403.519(4), Florida Statutes, with the understanding that staff intends to
	issue a recommendation for consideration at the
	May 8, 2018 Commission Agenda4,004-4,005
03/15/2018	Commission staff's notice of intent to seek official
	recognition and attached 2017 10-year site plan for
	Seminole4,006-4,081
03/15/2018	Seminole's notice of intent to file confidential
	classification of portions of transcript of deposition
	of Michael Ward4,082-4,084
03/15/2018	<u>CONFIDENTIAL</u> Portions of the transcript of the
	deposition of Michael Ward, taken on March 9, 2018, and exhibits attached theretoATTACHMENT THREE
**	(THIS CONFIDENTIAL DOCUMENT, ASSIGNED
	DOCUMENT NUMBER 002358-2018, HAS BEEN
	TRANSMITTED TO THE UPPER TRIBUNAL
	UNDER SEPARATE COVER)
03/16/2018	Transcript of March 12, 2018 prehearing conference

03/16/2018	Seminole's notice of intent to request confidential classification of business information requested by
	Commission staff; with redacted version4,106-4,109
03/16/2018	<u>CONFIDENTIAL</u> Certain business information of Seminole requested by Commission staffATTACHMENT THREE
**	(THIS CONFIDENTIAL DOCUMENT, ASSIGNED
	DOCUMENT NUMBER 02377-2018, HAS BEEN
	TRANSMITTED TO THE UPPER TRIBUNAL
	UNDER SEPARATE COVER)
03/16/2018	Seminole's seventh request for confidential
	classification of information provided in response to
	Commission staff's first request for production of documents, Nos. 11 and 13, and third request for
	production of documents, No. 21; with redacted version
03/16/2018	CONFIDENTIAL Seminole's response to
	Commission staff's first request for production of
	documents, Nos. 11 and 13, and third request for production of documents, No. 21ATTACHMENT THREE
**	(THIS CONFIDENTIAL DOCUMENT, ASSIGNED
	DOCUMENT NUMBER 02379-2018, HAS BEEN
	TRANSMITTED TO THE UPPER TRIBUNAL
	UNDER SEPARATE COVER)
03/16/2018	Seminole's eighth request for confidential
	classification of certain portions of the transcript
	and exhibits to the deposition of Michael Ward,
	taken on March 9, 2018; with redacted version4,959-5,142
03/16/2018	CONFIDENTIAL Certain portions of the transcript
	and exhibits to the deposition of Michael Ward, taken
	on March 9, 2018 (document presented and/or admitted as Hearing Exhibit No. 104)ATTACHMENT THREE
**	(THIS CONFIDENTIAL DOCUMENT, ASSIGNED
	DOCUMENT NUMBER 02381-2018, HAS BEEN
	TRANSMITTED TO THE UPPER TRIBUNAL
	UNDER SEPARATE COVER)

03/19/2018	Seminole and Shady Hills' ninth request for confidential classification of their response to Quantum's interrogatory, No. 2, and a document responsive to Quantum's request for production of documents, No. 2, as requested by Commission staff
03/19/2018 **	<u>CONFIDENTIAL</u> Seminole and Shady Hills' response to Quantum's interrogatory, No. 2, and a document responsive to Quantum's request for production of documents, No. 2, as requested by Commission staffATTACHMENT THREE (THIS CONFIDENTIAL DOCUMENT, ASSIGNED
	DOCUMENT NUMBER 02397-2018, HAS BEEN TRANSMITTED TO THE UPPER TRIBUNAL UNDER SEPARATE COVER)
03/19/2018	Commission Prehearing Order PSC-2018-0151-PHO-EC5,370-5,400
03/20/2018	Seminole and Shady Hills' notice of errata to position statements included in Commission Order No. PSC-2018-0151-PHO-EC
03/21/2018	CONFIDENTIALHearing Exhibit No. 100 fromMarch 21, 2018 hearingATTACHMENT THREE(THIS CONFIDENTIAL DOCUMENT, ASSIGNEDDOCUMENT NUMBER 02466-2018, HAS BEENTRANSMITTED TO THE UPPER TRIBUNALUNDER SEPARATE COVER)
03/21/2018 **	CONFIDENTIALHearing Exhibit No. 101 fromMarch 21, 2018 hearingATTACHMENT THREE(THIS CONFIDENTIAL DOCUMENT, ASSIGNEDDOCUMENT NUMBER 02468-2018, HAS BEENTRANSMITTED TO THE UPPER TRIBUNALUNDER SEPARATE COVER)
03/21/2018 **	CONFIDENTIAL Hearing Exhibit No. 102 from March 21, 2018 hearingATTACHMENT THREE (THIS CONFIDENTIAL DOCUMENT, ASSIGNED DOCUMENT NUMBER 02469-2018, HAS BEEN TRANSMITTED TO THE UPPER TRIBUNAL UNDER SEPARATE COVER)

03/21/2018	CONFIDENTIAL Hearing Exhibit No. 103 from March 21, 2018 hearingATTACHMENT THREE
**	(THIS CONFIDENTIAL DOCUMENT, ASSIGNED
	DOCUMENT NUMBER 02470-2018, HAS BEEN
	TRANSMITTED TO THE UPPER TRIBUNAL
	UNDER SEPARATE COVER)
03/21/2018	CONFIDENTIAL Hearing Exhibit No. 104 from
05/21/2018	March 21, 2018 hearing
**	(THIS CONFIDENTIAL DOCUMENT, ASSIGNED
	DOCUMENT NUMBER 02471-2018, HAS BEEN
	TRANSMITTED TO THE UPPER TRIBUNAL
	UNDER SEPARATE COVER)
03/21/2018	CONFIDENTIAL Hearing Exhibit No. 115 from
	March 21, 2018 hearingATTACHMENT THREE
**	(THIS CONFIDENTIAL DOCUMENT, ASSIGNED
	DOCUMENT NUMBER 02475-2018, HAS BEEN
	TRANSMITTED TO THE UPPER TRIBUNAL
	UNDER SEPARATE COVER)
03/21/2018	CONFIDENTIAL Hearing Exhibit No. 116 from
	March 21, 2018 hearingATTACHMENT THREE
**	(THIS CONFIDENTIAL DOCUMENT, ASSIGNED
	DOCUMENT NUMBER 02476-2018, HAS BEEN
	TRANSMITTED TO THE UPPER TRIBUNAL
	UNDER SEPARATE COVER)
03/23/2018	Quantum, M. Tulk, and P. Daly's notice of intent to
	request confidential classification of Hearing Exhibit
	No. 115, introduced by intervenors at the evidentiary
	hearing that concluded on March 22, 20185,403-5,403
03/23/2018	CONFIDENTIAL Hearing Exhibit No. 115,
	introduced by intervenors at the evidentiary hearing
202	that concluded on March 22, 2018ATTACHMENT THREE
**	(THIS CONFIDENTIAL DOCUMENT, ASSIGNED
	DOCUMENT NUMBER 02541-2018, HAS BEEN
	TRANSMITTED TO THE UPPER TRIBUNAL
	UNDER SEPARATE COVER)
03/26/2018	Volume 1 of transcript of hearing held March 21,
	2018, pages 1-198ATTACHMENT ONE

03/26/2018	Volume 2 of transcript of hearing held March 21, 2018, pages 199-300ATTACHMENT ONE
03/26/2018	Volume 3 of transcript of hearing held March 21, 2018, pages 301-495ATTACHMENT ONE
03/27/2018	Volume 4 of transcript of hearing held March 22, 2018, pages 496-732ATTACHMENT ONE
03/28/2018	Redacted Hearing Exhibits for March 21-22, 2018 hearingATTACHMENT TWO
04/04/2018	Corrected Volume 4 of transcript of hearing held March 22, 2018, pages 496-732ATTACHMENT ONE
04/04/2018	Seminole and Shady Hills' tenth request for confidential classification of information in Exhibit B (Hearing Exhibits Nos. 102, 103, and 116)5,406-5,445
04/04/2018 **	CONFIDENTIAL Yellow highlighted information contained in Exhibit B (Nos. 102, 103 and 116)ATTACHMENT THREE (THIS CONFIDENTIAL DOCUMENT, ASSIGNED DOCUMENT NUMBER 02732-2018, HAS BEEN TRANSMITTED TO THE UPPER TRIBUNAL UNDER SEPARATE COVER)
04/04/2018	Seminole and Shady Hills' post-hearing statement of issues and positions and incorporated brief5,446-5,483
04/04/2018	Quantum, M. Tulk, and P. Daly's post-hearing statement and brief5,484-5,523
04/11/2018	Commission Order PSC-2018-0179-CFO-EC granting Seminole's request for confidential classification for multiple documents for a period of 18 months
04/13/2018	Quantum, M. Tulk, and P. Daly's first request for confidential classification of Hearing Exhibit No. 115, introduced at evidentiary hearing that concluded on March 22, 2018

04/13/2018	CONFIDENTIAL Hearing Exhibit No. 115, introduced at evidentiary hearing that concluded on
**	March 22, 2018ATTACHMENT THREE (THIS CONFIDENTIAL DOCUMENT, ASSIGNED DOCUMENT NUMBER 02942-2018, HAS BEEN TRANSMITTED TO THE UPPER TRIBUNAL UNDER SEPARATE COVER)
04/26/2018	Commission staff's recommendation for Docket No. 20170266-EC, Item 8, at the May 8, 2018 Commission conference
05/01/2018	Commission Order PSC-2018-0221-CFO-EC granting Quantum, M. Tulk and P. Daly's request for confidential classification for a period of 18 months
05/08/2018	Vote sheet for Item 8 at the May 8, 2018 Commission conference
05/15/2018	Transcript of May 8, 2018 Commission conference
05/25/2018	Commission's Final Order PSC-2018-0263-FOF-EC granting Seminole's petition for determination of need for Seminole combined cycle facility
06/20/2018	Quantum's notice of appeal of Commission's Final Order PSC-2018-0263-FOF-EC5,646-5,683
06/20/2018	M. Tulk's notice of appeal of Commission's Final Order PSC-2018-0263-FOF-EC5,684-5,721
06/21/2018	Commission Clerk Carlotta S. Stauffer, forwarding certified copy of Quantum's notice of appeal to Florida Supreme Court's John A. Tomasino, Office of the Clerk5,722-5,760
06/21/2018	Commission Clerk Carlotta S. Stauffer, forwarding certified copy of M. Tulk's notice of appeal to Florida Supreme Court's John A. Tomasino, Office of the Clerk5,761-5,799