

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Florida Power & Light Company (FPL) for authority to charge FPL rates to former City of Vero Beach customers and for approval of FPL's accounting treatment for City of Vero Beach transaction.

DOCKET NO. 20170235-EI

In re: Joint petition to terminate territorial agreement, by Florida Power & Light and the City of Vero Beach.

DOCKET NO. 20170236-EU

PETITIONER CIVIC ASSOCIATION OF INDIAN RIVER COUNTY'S
MOTION FOR SETTING HEARING DATE ON
FPL MOTION TO DISMISS PROTEST

The Civic Association of Indian River County, Inc. ["CAIRC"], pursuant to Rule 28-106.204, Fla. Admin. Code, moves to set an earlier hearing on the FPL Motion to Dismiss the CAIRC Petition dated July 18, 2018 than that of the Final Hearing on these petitions, and in support thereof would state:

1. CAIRC is quite seriously and intently pursuing their petition with the Commission for pertinent and immediate concerns, contrary to the claims made by FPL that CAIRC is simply "dissatisfied with the political process" surrounding the creation and massive public relations campaign to sell their ideas to uninformed COVB voters.
2. Preparation of the CAIRC case is both time-consuming and labor-intensive, particularly as CAIRC does not have a fleet of attorneys and paralegals on which to rely for preparing filings, testimony, and arranging discovery.
3. It would be a great burden to prepare for, in full, the CAIRC case over the next two months only to be ruled out of the proceedings at the last moment for issues of

standing. This is of course why, in regular civil courts, the issue of standing is addressed prior to most other matters. Having witnesses travel to Tallahassee for no reason is of paramount concern to CAIRC, as well.

4. While we firmly believe we will succeed in proving standing, seasoned attorneys know better than to project any results in legal matters.

WHEREFORE the CAIRC respectfully requests that a hearing date and time be set in the near future so that CAIRC, and any other parties affected by such a Motion to Dismiss who do not want to wait until October 9, 2018, may obtain resolution on the FPL Motion to Dismiss CAIRC as soon as possible.

Submitted this 13th day of August, 2018.

CERTIFICATION

I HEREBY CERTIFY that a true and correct copy of the above and foregoing has been filed and forwarded via email this 13th day of August, 2018, to: PARTIES listed below.

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By /s/ LYNNE A. LARKIN
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