

IN THE FIRST DISTRICT COURT OF APPEAL
FOR THE STATE OF FLORIDA

CITIZENS OF THE STATE OF
FLORIDA, ETC.,

Appellant(s), Case No.: 1D18-4216

Lower Tribunal No.: 20170141-SU

vs.

FLORIDA PUBLIC SERVICE
COMMISSION,

Appellee(s).

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

Pursuant to Rules 9.200(a)(2) and 9.900(g), 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 9.200, Florida Rules of Appellate Procedure, the items identified herein.¹ Like all of the state government

¹ In AOSC18-49, relating to this Court, the Florida Supreme Court “recognize[d] that there may be instances where, because of this emergency, these and other time limits applicable to matters in or outside the First District Court of Appeal could not be met even upon application of the periods stated [in the administrative order].” In such instances this Court is authorized to deal with the issue on a case-by-case basis, presumably including allowing directions to be untimely filed.

offices, the OPC was closed for the majority of the week preceding the filing deadline due to Hurricane Michael. This prevented the OPC from timely preparing and filing these Directions. If these Directions are accepted, it will reduce the size of the record being transmitted from the Florida Public Service Commission (“PSC”) to the Court, thereby reducing the amount of work for the PSC clerk’s staff, and simplifying to an extent the record to be considered by this Court. Further, the OPC has consulted with the Florida Public Service Commission’s Clerk’s Office and it does not oppose the filing of these Directions.

Within these Directions, “OPC” or “Citizens” means the Office of Public Counsel; “K W Resort” refers to K W Resort Utilities Corp.; and the “PSC” or “Commission” means the Florida Public Service Commission.

1. As stated in Citizens’ Notice of Administrative Appeal, Citizens appeal Order No. PSC-2018-0446-FOF-SU, rendered on September 4, 2018, which is the Final Order approving the application for an increase in wastewater rates by K W Resort, (the “Order”).

2. With respect to the pleadings, testimony, and exhibits, Citizens direct the Clerk to include in the record on appeal only the following portions of the docket file in Docket No. 20170141-SU:

Document Number	Date Filed	Description
05774-2018	09/04/2018	Final Order PSC-2018-0446-FOF-SU granting KW Resort's application for increase in wastewater rates.
05309-2018	08/15/2018	TRANSCRIPT - 8/7/18 Commission conference, Item 12.
05253-2018	08/13/2018	Utilities, Inc. (Friedman) - Notice of filing; with attached affidavit of mailing [of notice to customers and all other interested persons] and the notice; affidavit of mailing [of notice to property owners requesting service] and the notice.
05145-2018	08/08/2018	GCL/Mapp - Memo dated 8/7/18 to CLK/Stauffer, with attached document containing block grouping of issues, for docket file.
05139-2018	08/07/2018	Vote sheet from 8/7/18 Commission conference, Item 12.
05102-2018	08/06/2018	CLK/Stauffer - Memo dated 8/6/18 with attached replacement for page number 7 of the Oral Modification to Item 12 on the 8/7/18 Agenda. [CLK note: see DN 05091-2018 for original oral modification]
05091-2018	08/06/2018	AFD/Maurey - Note dated 8/6/18 to EXE/Baez requesting approval to make oral modifications to Item 12 at 8/7/18 Commission conference; with approval from EXE/Baez. [CLK note: See DN 05102-2018 for replacement page.]
04945-2018	07/30/2018	GCL/Mapp - Memo dated 7/30/18 to CLK/Stauffer, with attached note for docket file.

04901-2018	07/26/2018	RECOM for 8/7/18 Commission conference, Item 12, from AFD, ECO, ENG and GCL staff.
04109-2018	06/06/2018	OPC (Saylor) - Post-hearing statement of positions and post-hearing brief.
04108-2018	06/06/2018	Monroe County (LaVia) - Post-hearing statement of issues and positions and brief.
04107-2018	06/06/2018	K W Resort (Smith, Friedman) - Post hearing statement of issues and positions.
03935-2018	05/29/2018	Hearing Exhibits 2 to 152 of 5/15-17/18 hearing in Key West.
03934-2018	05/29/2018	TRANSCRIPT - Volume 8, pages 1063 to 1138, of 5/17/18 hearing in Key West.
03930-2018	05/29/2018	TRANSCRIPT - Volume 7, pages 975 to 1062, of 5/17/18 hearing in Key West.
03928-2018	05/29/2018	TRANSCRIPT - Volume 6, pages 880 to 974, of 5/17/18 hearing in Key West.
03926-2018	05/29/2018	TRANSCRIPT - Volume 5, pages 755 to 879, of 5/16/18 hearing in Key West.
03898-2018	05/25/2018	TRANSCRIPT - 5/16/18 service hearing in Key West.
03897-2018	05/25/2018	TRANSCRIPT - 5/15/18 service hearing in Key West.
03894-2018	05/24/2018	TRANSCRIPT - Volume 4, pages 519 to 754, of 5/16/18 hearing in Key West.
03885-2018	05/24/2018	TRANSCRIPT - Volume 3, pages 317 to 518, of 5/16/17 hearing in Key West.
03884-2018	05/24/2018	TRANSCRIPT - Volume 2, pages 113 to 316, of 5/15/18 hearing in Key West.
03883-2018	05/24/2018	TRANSCRIPT - Volume 1, pages 1 to 112 of 5/15/18 hearing in Key West.

03671-2018	05/14/2018	K W Resort (Smith, Friedman) - Notice of filing; with attached affidavit of publication [of notice of customer service hearing and technical hearing, in The Citizen, Monroe County]; and copy of newspaper notice.
03616-2018	05/10/2018	Prehearing Order PSC-2018-0242-PHO-SU.
03589-2018	05/09/2018	CORRECTED TRANSCRIPT - 5/1/18 prehearing. [CLK Note: Correcting formatting errors; see DN 03514-2018 for original filing.]
03514-2018	05/07/2018	TRANSCRIPT - 5/1/18 prehearing. [CLK Note: See DN 03589-2018 for correct formatting.]
03504-2018	05/04/2018	GCL/Mapp - Staff's notice of service of errata to testimony of Marisa Glover and Exh MG-1; with attached errata sheet. [CLK note: See DN 02557-2018 for originally filed direct testimony and exhibits.]
03500-2018	05/04/2018	OPC (Sayler) - Expedited surrebuttal [direct] testimony of Helmuth W. Schultz, III.
03499-2018	05/04/2018	OPC (Sayler) - Expedited surrebuttal testimony of Andrew T. Woodcock.
03496-2018	05/04/2018	GCL/Mapp - Memo dated 5/4/18 to CLK/Stauffer, with attached note from atty Wright withdrawing contested Issues A and B, for docket file.
03485-2018	05/04/2018	OPC (Sayler) - Response to K W Resort's motion to strike portions of testimony of witness Helmuth W. Schultz.

03292-2018	04/27/2018	K W Resort (Smith, Friedman) - Motion to strike portions of testimony of OPC witness Helmuth W. Schultz.
03291-2018	04/27/2018	OPC (Sayler) - Notice of service of errata to testimony and exhibit of Helmuth W. Schultz, III; with attached errata sheet. [CLK note: See DN 02411-2018 for Helmuth Schultz's testimony, which replaced originally filed testimony DN 02334-2018.]
03273-2018	04/27/2018	K W Resort (Friedman) - Response to OPC and Monroe County's joint motion to compel and to continue hearing.
03272-2018	04/27/2018	K W Resort (Friedman) - Notice of filing [of affidavit of mailing evidencing that the customer notice of the service and technical hearings was sent by regular mail on 4/25/18 to customers]
03263-2018	04/26/2018	K W Resort (Smith, Friedman) - Response to OPC and Monroe County's joint motion to strike portions of rebuttal testimony and exhibits, or in the alternative, motion to reschedule the technical hearing and for leave to file surrebuttal testimony.
03221-2018	04/25/2018	OPC; Monroe County (Sayler, Lavia) - Request for oral argument on joint motion to compel K W Resort to correct its continually changing minimum filing requirements and to continue the hearing.
03220-2018	04/25/2018	OPC; Monroe County (Sayler, Lavia) - Joint motion to compel K W Resort to correct its continually changing minimum filing requirements and to continue the [5/15-17/18 technical] hearing.

03159-2018	04/23/2018	OPC; Monroe County (Saylor, LaVia) - Request for oral argument on joint motion to strike portions of K W Resort's rebuttal testimony and exhibits, or in the alternative, motion to reschedule technical hearing and for leave to file surrebuttal testimony.
03158-2018	04/23/2018	OPC; Monroe County (Saylor, LaVia) - Joint motion to strike portions of K W Resort's rebuttal testimony and exhibits, or in the alternative, motion to reschedule technical hearing and for leave to file surrebuttal testimony.
03115-2018	04/23/2018	K W Resort (Smith, Friedman) - Cross-notice of telephonic deposition to OPC/Kelly and Saylor of Helmuth W. Schultz, III, to be held 4/23/18 at 9:30 a.m.
03078-2018	04/20/2018	OPC (Saylor) - Cross-notice of telephonic deposition to atty Friedman of Deborah Swain to be held 4/24/18, 9:30 a.m.
03056-2018	04/19/2018	K W Resort (Friedman) - Letter dated 4/18/18, with attached revised Schedule F-6, page 1 of 2, to substitute into the direct [testimony] of Frank Seidman in lieu of the original Schedule F-6, page 1 of 2 [DN 09988-2017], pursuant to an agreement with OPC and Monroe County.
03054-2018	04/19/2018	GCL/Mapp - Staff's cross-notice of telephonic deposition to atty Friedman of Christopher Johnson to be held 4/25/18, 9:30 a.m.
03049-2018	04/18/2018	Monroe County (Wright) - Cross-notice of telephonic deposition to atty Friedman of Deborah Swain to be held 4/24/18, 9:30 a.m.

03047-2018	04/18/2018	Monroe County (Wright) - Cross-notice of telephonic deposition to atty Friedman of Christopher Johnson to be held 4/25/18, 9:30 a.m.
03037-2018	04/18/2018	OPC (Sayler) - Notice of taking telephonic depositions to atty Friedman of Christopher Johnson to be held 4/25/18, 9:30 a.m.
03019-2018	04/17/2018	K W Resort (Smith; Friedman) – Prehearing statement.
03018-2018	04/17/2018	Monroe County (Wright) – Prehearing statement.
03014-2018	04/17/2018	OPC/Sayler - Prehearing statement.
03013-2018	04/17/2018	K W Resort (Smith; Friedman) - Notice of withdrawal of pending motions [for extension of time to respond to discovery established in Order PSC-2018-0039-PCO-SU (DN 01229-2018); and for extension of time to file rebuttal testimony and exhibits (DN 02874-2018)].
03012-2018	04/17/2018	GCL/Mapp - Staff's prehearing statement.
02927-2018	04/13/2018	OPC (Sayler) - Letter dated 4/13/18, with attached corrected Exh ATW-3, with revised header, to witness Woodcock's testimony filed previously [DN 02333-2018].
02879-2018	04/11/2018	K W Resort - Rebuttal Testimony of Christopher Johnson and Exh CAJ-25 through CAJ-41. [CLK note: This document does not include a signature; see DN 02878-2018 for certificate of service.]
02878-2018	04/11/2018	K W Resort (Smith; Friedman) - Certificate of service of rebuttal testimony and exhibits [of Edward R. Castle (DN 02871-2018); Robert C. Pabian (DN

		02872-2018); Deborah D. Swain (DN 02873-2018); and Christopher Johnson (DN 02879-2018)].
02874-2018	04/10/2018	K W Resort (Smith, Friedman) - Motion for extension of time to file rebuttal testimony and exhibits established in Order PSC-2018-0039-PCO-SU.
02873-2018	04/10/2018	K W Resort - Rebuttal testimony of Deborah D. Swain and Exhs DDS-2 through DDS-8. [CLK note: This document does not include a signature; see DN 02878-2018 for certificate of service.]
02872-2018	04/10/2018	K W Resort - Rebuttal testimony of Robert C. Pabian and Exhs RCP-1 and RCP-2. [CLK note: This document does not include a signature; see DN 02878-2018 for certificate of service.]
02871-2018	04/10/2018	K W Resort - Rebuttal testimony of Edward R. Castle and Exhs ERC-1 and ERC-2. [CLK note: This document does not include a signature; see DN 02878-2018 for certificate of service.]
02644-2018	04/02/2018	Notice of Commission hearing and prehearing - Hearing to be held 5/15/18 at 9:30 a.m., Tortuga Ballroom, DoubleTree by Hilton Grand Key Resort, 3990 S. Roosevelt Blvd, Key West; customer service hearing to be held 5/15/18 at 6:00 p.m. and 5/16/18 at 9:30 a.m., Tortuga Ballroom, DoubleTree by Hilton Grand Key Resort, 3990 S. Roosevelt Blvd, Key West; prehearing conference to be held 5/1/18 at 9:30 a.m., Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee.

02642-2018	03/30/2018	FAR notice (to be published 4/2/18) of prehearing and hearing; prehearing to be held 5/1/18 in Tallahassee; technical hearing to be held 5/15/18; 5/16/18 and 5/17/18 have been reserve for continuation of hearing if needed, in Key West; service hearing to be held 5/15/18 and 5/16/18 in Key West; with attached acknowledgment of submittal by Administrative Code and Register.
02614-2018	03/30/2018	GCL/Mapp - Memo dated 3/30/18 to all parties and interested persons advising of informal meeting to be held 4/13/18, 10:30 a.m., Rm 105, Gunter Bldg, 2540 Shumard Oak Blvd, Tallahassee.
02557-2018	03/27/2018	GCL/Mapp - Direct testimony of Marisa Glover and Exhs MG-1 and MG-2. [CLK note: See DN 03504-2018 for notice of service of errata, and errata sheet to testimony of Marisa Glover and Exh MG-1.]
02553-2018	03/27/2018	APA/Deamer - Memo dated 3/27/18 to CLK, with attached revised page 6 to [audit] report; corrects description of \$900 adjustment to Account 361. [Audit Control No. 2017-334-1-1]
02548-2018	03/27/2018	K W Resort (Friedman) - Notice of change of address.
02411-2018	03/19/2018	OPC (Sayler) - Direct testimony of Helmuth W. Schultz, III, and Exhs HWS-1 and HWS-2. [CLK note: Per DN 02408-2018, this document replaces DN 02334-2018.]
02408-2018	03/19/2018	OPC (Sayler) - Notice of filing a replacement copy of the direct testimony

		and exhibits of Helmuth W. Schultz, III, previously filed [DN 02334-2018].
02334-2018	03/14/2018	OPC (Saylor) - Direct testimony of Helmuth W. Schultz, III and Exhs HWS-1 and HWS-2. [CLK note: See DN 02408-2018 for notice of filing replacement testimony and exhibits of Helmuth W. Schultz, III; see DN 02411-2018 for replacement filing of testimony and exhibits.]
02333-2018	03/14/2018	OPC (Saylor) - Direct testimony of Andrew T. Woodcock and Exhs ATW-1 through ATW-7.
02316-2018	03/14/2018	Monroe County (Wright) - Direct testimony of Kevin G. Wilson, P.E. and Exhs KGW-1 through KGW-10.
02313-2018	03/14/2018	Monroe County (Wright) - Direct testimony of Jeffery A. Small and Exh JAS-01.
02307-2018	03/14/2018	Monroe County (Wright) - Direct testimony of J. Terry Deason and Exh TD-1.
02107-2018	03/05/2018	OPC; Monroe County (Saylor) - Joint notice of withdrawal of joint motion for extension of time to file testimony, [pursuant to Order PSC-2018-0118-PCO-SU].
02068-2018	03/05/2018	Order PSC-2018-0118-PCO-SU first order modifying order establishing procedure; Order PSC-2018-0039-PCO-SU, as amended by Order PSC-2018-0039A-PCO-SU, is reaffirmed in all other respects.
01846-2018	02/26/2018	Order PSC-2018-0102-PCO-SU approving interim rates and surcharge and suspending

		<p>final rates; authorizing implementation of a one-time charge associated with over-refund in Docket 20150071; K W Resort to maintain a corporate undertaking to guarantee any potential refund of revenues collected under interim conditions; K W Resort to provide a report by the 20th day of each month indicating monthly and total revenue collected subject to refund, pursuant to Rule 25-30.360(6), FAC; utility to file revised tariff sheets and a proposed customer notice to reflect approved rates and provide proof of noticing within 10 days of the date of the notice; approved rates and one-time surcharge are not to be implemented until required security has been filed and staff has approved proposed customer notice; denying interim AFPI charges; docket to remain open.</p>
01747-2018	02/22/2018	<p>K W Resort (Friedman) - Notice of filing; with attached affidavit of mailing; and notice of interim rate increase as sent to customers and all other interested persons.</p>
01521-2018	02/19/2018	<p>OPC (Sayler); K W Resort (Friedman) – Joint motion to approve procedural stipulation.</p>
01510-2018	02/19/2018	<p>K W Resort (Friedman) - Motion to revise MFR schedules.</p>
01337-2018	02/16/2018	<p>OPC (Sayler); Monroe County (Wright) - Joint response to K W Resort’s motion for extension of time to respond to discovery; joint motion for extension of time to file testimony in light of petitioner’s failure to timely file discovery responses; with attached Exh A.</p>

01257-2018	02/15/2018	TRANSCRIPT - 2/6/18 Commission conference, Item 17.
01229-2018	02/14/2018	K W Resort (Smith, Friedman) - Motion for extension of time to respond to discovery as established in Order PSC-2018-0039-PCO-SU.
01162-2018	02/13/2018	APA/Deamer - Memo dated 2/13/18 to CLK with attached audit report for K W Resort; any response by utility should be sent to CLK. (Audit Control No. 2017-334-1-1)
01005-2018	02/06/2018	Vote sheet from 2/6/18 Commission conference, Item 17.
00912-2018	02/02/2018	K W Resort (Friedman) - Notice of filing; with attached affidavit of mailing; and initial customer notice to customer and all other interested persons dated 2/1/18.
00836-2018	01/31/2018	Amendatory Order PSC-2018-0039A-PCO-SU amends Order PSC-2018-0039-PCO-SU by changing the discovery deadline from 4/23/18 to 4/24/18; Order PSC-2018-0039-PCO-SU is reaffirmed in all other respects.
00661-2018	01/25/2018	RECOM for 2/6/18 Commission conference, Item 17, from AFD, ECO, ENG, and GCL staff.
00322-2018	01/16/2018	GCL/Mapp - Memo dated 1/16/18 to all parties and interested persons advising of informal meeting to be held 1/29/18, at 3:00 p.m., Rm 105, Gunter Bldg, 2540 Shumard Oak Blvd, Tallahassee. [CLK Note: Memo does not include a signature.]
00295-2018	01/12/2018	Order PSC-2018-0039-PCO-SU establishes procedure.

10662-2017	12/15/2017	Order PSC-2017-0472-PCO-SU acknowledging intervention by Monroe County.
10630-2017	12/14/2017	AFD/Maurey - Copy of letter dated 12/14/17 to K W Resort/Friedman advising MFRs are complete and official filing date is established as of 12/13/17.
10594-2017	12/13/2017	K W Resort (Friedman) - Letter dated 12/13/17, providing responses to staff's second deficiency letter dated 12/13/17.
10575-2017	12/13/2017	AFD/Maurey - Copy of letter dated 12/13/17 to K W Resort/Friedman advising, after review of 12/12/17 deficiency response, MFRs are still deficient; requests corrections be submitted no later than 12/19/17.
10531-2017	12/12/2017	K W Resort (Friedman) - Letter dated 12/11/17, with attached response to staff's 12/7/17 deficiency letter.
10413-2017	12/07/2017	AFD/Maurey - Copy of letter dated 12/7/17 to K W Resort/Friedman advising MFRs submitted on 11/21/17 are deficient; petition will not be deemed filed until listed deficiencies are corrected; corrections should be submitted no later than 1/8/18.
10203-2017	11/30/2017	APA/Deamer - Memo dated 11/30/17 to CLK, with attached copy of letter to K W Resort advising that the Commission will conduct an audit (Audit Control No. 2017-334-1-1); formal report expected to be issued for internal Commission use on 1/29/18.
10195-2017	11/30/2017	Order 2017-0460-PCO-SU acknowledging intervention by OPC.

10017-2017	11/21/2017	K W Resort (Friedman) - Letter dated 11/21[17], waiving through 2/6/18 the Commission's deadline pursuant to Section 367.081(6), FS, to withhold consent to the operation of the rate increase; and the requirement pursuant to Section 367.082(2), FS, to authorize interim rates.
10014-2017	11/21/2017	AIT/Fiscal - \$4,500 payment record from K W Resort for filing fee; Dep 116 dated 11/22/17.
10013-2017	11/21/2017	K W Resort (Friedman) - Letter dated 11/21/17, advising that listed documents have been electronically filed [with regard to application for increase in rates]. [CLK note: One map forwarded to AFD.]
09990-2017	11/21/2017	K W Resort (Friedman) - Direct testimony of Christopher A. Johnson and Exhs CAJ-1 through CAJ-23.
09989-2017	11/21/2017	K W Resort (Friedman) - Direct testimony of Deborah D. Swain and Exh DDS-1.
09988-2017	11/21/2017	K W Resort (Friedman) - Direct testimony of Frank Seidman and Exhs FS-1 and FS-2.
09987-2017	11/21/2017	K W Resort (Friedman) - Additional engineering information MFRs, Vol III.
09986-2017	11/21/2017	K W Resort (Friedman) - Financial, rate and engineering MFRs, Vol II.
09985-2017	11/21/2017	K W Resort (Friedman) - Financial, rate and engineering MFRs, Vol I.
09984-2017	11/21/2017	K W Resort (Friedman) - Application for increase in [wastewater] rates [in Monroe County].
09594-2017	11/07/2017	Chairman Brown - Copy of letter dated 11/7/17 to K W Resort/Friedman approving 10/28/17 request for extension

		of time to file MFRs; new filing deadline is 11/30/17; all other provisions set forth in 6/30/17 test year approval letter still apply; petition will be deemed filed on the date CLK receives MFRs.
09373-2017	11/01/2017	AFD/Norris - Memo dated 10/31/17 to CLK/Stauffer with attached correspondence for docket file.
09288-2017	10/30/2017	K W Resort (Friedman) - Letter dated 10/28/17 to COM/Brown requesting extension for filing deadline to 11/30/17; also requesting pro forma expense in connection with Hurricane Irma damages.
06304-2017	07/27/2017	Monroe County, Florida [Monroe County] (LaVia) - Motion to intervene.
05774-2017	07/10/2017	GCL/Hetrick - Copy of letter dated 7/10/17 to OPC/Kelly and Monroe County/Wright, responding to 6/30/17 response in opposition to supplemental test year letter filed by K W Resort.
05716-2017	07/07/2017	Office of Public Counsel [OPC] (Kelly) - Notice of intervention.
05671-2017	06/30/2017	OPC/Monroe County (Sayler, Wright) - Joint response in opposition to [K W Resort's] proposed test year and supplemental test year letter
05645-2017	06/30/2017	Chairman Brown - Copy of letter dated 6/30/17 to K W Resort/Friedman approving test year request; requests MFRs be filed no later than 10/31/17.
05595-2017	06/28/2017	AFD/Maurey - Note dated 6/28/17 to CLK/Menasco, advising that with the revised election [of K W Resort to forego the PAA process and proceed directly to hearing (DN 05584-17)], the progmod

		should be changed from A1f back to A1a. [Action complete.]
05584-2017	06/27/2017	K W Resort (Friedman) - Letter dated 6/26/17 to Chairman Brown, advising that K W Resort has determined to forego the PAA process and utilize the process to proceed directly to hearing; prehearing testimony to be filed accordingly.
05465-2017	06/21/2017	OPC/Monroe County (Sayler, Wright) - Joint response in opposition to [K W Resort's] proposed test year.
05347-2017	06/15/2017	GCL/Mapp - Memo dated 6/15/17 to all parties of record and interested persons advising of informal meeting to be held 6/22/17 from 9:00 a.m. to 10:00 a.m., Gunter Bldg, Rm 105, 2540 Shumard Oak Blvd, Tallahassee. [CLK Note: Memo does not include a signature.]
05243-2017	06/09/2017	GCL/Crawford - Memo dated 6/9/17 to all parties of record and interested persons advising of informal meeting to be held 6/14/17, 2:00 p.m., Rm 154, Gunter Bldg, Rm 154, 2540 Shumard Oak Blvd, Tallahassee. [CLK Note: Memo does not include a signature.]
05242-2017	06/09/2017	AFD/Fletcher - Note dated 6/9/17 to CLK/Menasco advising docket will be handled as a PAA; with response dated 6/9/17, from CLK/Menasco, advising progmod will be changed from A1a to A1f. [Action completed.]
05240-2017	06/09/2017	K W Resort Utilities Corp. [K W Resort] (Friedman) - Copy of letter dated 6/6/17 to Chairman Brown requesting approval of test year for rate increase in Monroe County.

STATEMENT OF ACTS TO BE REVIEWED

Pursuant to Rule 9.200(a)(2), OPC provides with these Directions the following statement of acts to be reviewed: The appeal will focus on the procedure the Commission has adopted allowing its staff to admit into the record utility responses to discovery that contain information central to the utility's burden of proof but not included in testimony according to Commission procedural requirements. This practice precludes the intervenors from the opportunity to file responsive expert testimony, contrary to due process requirements.

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

/s/Stephanie A. Morse
Stephanie A. Morse
Associate Public Counsel
Florida Bar No. 0068713
morse.stephanie@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
20170141-SU

I HEREBY CERTIFY that a true and correct copy of the foregoing
DIRECTIONS TO CLERK OF THE FLORIDA PUBLIC SERVICE
COMMISSION AND STATEMENT OF ACTS TO BE REVIEWED has been
furnished by electronic mail on this 19th day of October, 2018, to the following:

Jennifer Crawford/Samantha Cibula
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
scibula@psc.state.fl.us
jcrawfor@psc.state.fl.us

Martin S. Friedman
600 Rinehart Road, Suite 2100
Lake Mary, Florida 32746
mfriedman@ff-attorneys.com

Barton W. Smith
138 Simonton Street
Key West, FL 33040
bart@smithhawks.com

Robert Scheffel Wright/John T. LaVia,
Gardner Law Firm
1300 Thomaswood Drive
Tallahassee FL32308
Schef@gbwlegal.com
jlavia@gblegal.com

Robert B. Shillinger/Cynthia Hall
Monroe County Attorney's Office
1111 12th Street, Suite 408
Key West FL 33040
Hall-Cynthia@monroecounty-fl.gov
Shillinger-Bob@MonroeCounty-FL.gov

Smith Law Firm
Barton W. Smith
138 Simonton Street
Key West FL 33040
bart@smithhawks.com

K W Resort Utilities Corp.
Mr. Christopher Johnson
C/O K.W. Resort Utility
6630 Front Street
Key West FL 33040
chriskw@bellsouth.net

/s/Stephanie A. Morse
Associate Public Counsel
Florida Bar No. 0068713