

# Holland & Knight

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March 22, 2019

## *Via Electronic Filing*

Adam J. Teitzman  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Complaint against Gulf Power Company for expedited enforcement of territorial order, by Gulf Coast Electric Cooperative, Inc.  
Docket No.: 20180125-EU

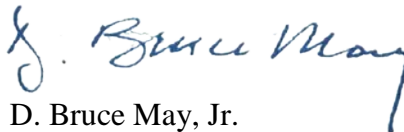
Dear Mr. Teitzman:

Attached is revised page 2 of the Settlement Agreement between Gulf Power Company and Gulf Coast Electric Cooperative, Inc., which provides a more precise citation format for the lift station's GPS coordinates and corrects an inadvertent typographical error. It replaces page 2 of the Settlement Agreement that was filed on March 20, 2019. The undersigned has conferred with counsel for Gulf Power and is authorized to make this filing on behalf of both parties.

If you have any questions please contact me at (850) 425-5607. Thank you.

Sincerely,

HOLLAND & KNIGHT LLP



D. Bruce May, Jr.  
*Counsel for Gulf Coast Electric Cooperative, Inc.*

DBM:kjg  
Enclosure

cc: Andrew King (w/Encl.)  
Jennifer Crawford (w/Encl.)  
Kurt Schrader (w/Encl.)  
Steve Griffin (w/Encl.)  
Russell A. Badders (w/Encl.)  
C. Shane Boyette (w/Encl.)

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Holly Henderson (w/Encl.)  
John Bartley (w/Encl.)  
J. Patrick Floyd (w/Encl.)

## SETTLEMENT AGREEMENT

Gulf Power Company (“Gulf Power”) and Gulf Coast Electric Cooperative (“GCEC”) hereby stipulate and agree as follows:

### WITNESSETH

**WHEREAS**, by Order No. PSC-98-0174-FOF-EU, dated January 28, 1998, the Florida Public Service Commission (“PSC”) directed Gulf Power and GCEC to “establish detailed procedures and guidelines addressing subtransmission, distribution, and requests for new service which would be enforceable with the respective company”, and which would “take into account [PSC] precedent on resolving territorial disputes”.

**WHEREAS**, pursuant to Order No. PSC-98-0174-FOF-EU, the Parties entered into an agreement entitled “Procedures and Guidelines for Avoiding Further Uneconomic Duplication of Facilities”, which was approved by the PSC as a territorial agreement in Orders Nos.: PSC-2001-0891-PAA-EU and PSC-2001-0891A-PAA-EU (the “Territorial Agreement”).

**WHEREAS**, the Parties are currently involved in a territorial dispute before the PSC in Docket No. 20180125-EU over service to a lift station in Bay County, Florida located at Lat. 30° 19’ 45.16” N, Long. 85° 42’ 53.86” W (the “Customer”).

**WHEREAS**, during the pendency of the dispute Gulf Power extended its lines and facilities approximately 11,000 feet from the west to provide temporary service to the Customer (the “Gulf Power Lines”).

**WHEREAS**, the Parties have negotiated in good faith to identify a mutually agreeable resolution to the pending territorial dispute which will avoid unnecessary duplication of electric service.

**NOW, THEREFORE**, the Parties, in consideration of the mutual benefits contained herein, agree as follows:

1. The above recitals are true and correct and incorporated herein.
2. This Agreement shall begin as of the date it is fully executed by all Parties and the conditions precedent set forth in paragraph 6 are satisfied (“Effective Date”).
3. Gulf Power and GCEC shall enter into an agreement attached as Exhibit A, to amend their existing Territorial Agreement (“2019 Amendment”).
4. To avoid uneconomic duplication of facilities, Gulf Power shall relinquish service to the Customer and remove 3000 linear feet of the Gulf Power Lines beginning at the Customer’s lift station located at GPS coordinate: Lat. 30° 19’ 45.16”N, Long. 85° 42’ 53.86” W and extending west along Highway 388 W to a point that bisects the right-of-way on that highway (the “Demarcation Point”). GCEC shall be permitted to extend its lines and facilities 11,000 linear feet beginning at its existing facilities on Highway 388 W and extending west (the “GCEC Lines”),