



Jody Lamar Finklea, B.C.S.
General Counsel and Chief Legal Officer
Board Certified City, County and Local Government Lawyer

FILED 12/27/2023
DOCUMENT NO. 06760-2023
FPSC - COMMISSION CLERK

December 27, 2023

VIA ELECTRONIC FILING

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

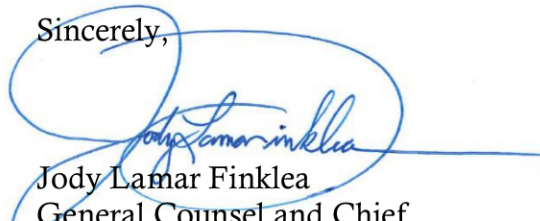
Dear Mr. Teitzman:

Re: Joint Petition of Sumter Electric Cooperative, Inc. and the City of Bushnell, a Florida municipality, for approval of a Modification to a Territorial Agreement in and for Sumter County; DOCKET NO. _____

Please find enclosed for electronic filing, the joint petition of Sumter Electric Cooperative, Inc. and the City of Bushnell, Florida for approval of a modification to the parties' territorial agreement in and for Sumter County. This filing consists of this letter, the joint petition, and the second amendment to the parties' territorial agreement, with maps attached to it as composite exhibit A.

Thank you for your assistance in this matter and if there are any questions, please call me at (850) 297-2011.

Sincerely,



Jody Lamar Finklea
General Counsel and Chief
Legal Officer

as counsel for the City of Bushnell, Florida

cc: D. Bruce May, Jr.
Tracy de Lemos

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition of Sumter Electric Cooperative, Inc. and the City of Bushnell, a Florida municipality, for approval of a Modification to a Territorial Agreement in and for Sumter County.

DOCKET NO. _____

FILED: December 27, 2023

**JOINT PETITION FOR APPROVAL OF A
MODIFICATION TO THE TERRITORIAL AGREEMENT**

Sumter Electric Cooperative, Inc. (“SECO”) and the City of Bushnell, Florida (“City” or “Bushnell”) (collectively, the “Joint Petitioners” or “Parties,” and “Party” for singular references), pursuant to section 366.04(2)(d), Florida Statutes (2023), and rules 25-6.0440 and 28-106.201 of the *Florida Administrative Code*, jointly petition the Florida Public Service Commission (“Commission”) for approval of a Modification to their Territorial Agreement in and for Sumter County, Florida. In support, the Joint Petitioners state:

1. SECO and Bushnell are parties to a currently effective territorial agreement delineating their respective service territories in Sumter County, Florida (the “Agreement”), approved by the Commission in Order No. PSC-2020-0258-PAA-EU, issued July 24, 2020, in Docket No. 20200138-EU, and consummated by Order No. PSC-2020-0281-CO-EU, issued August 19, 2020, which was previously amended by a First Amendment to Territorial Agreement, dated as of October 5, 2021, approved by PSC Order No. PSC-2022-0065-PAA-EU, issued February 18, 2022, in Docket No. 20210170-EU, and consummated by Order No. PSC-2022-0112-CO-EU issued March 14, 2022.

2. For purposes of this Joint Petition, names, mailing addresses and other contact information of the persons authorized to receive notices and communications are:

For SECO:

D. Bruce May, Jr.
Holland & Knight LLP
315 S. Calhoun St., Suite 600
Tallahassee, Florida 32301
Telephone: 850-224-7000
bruce.may@hklaw.com

Tracy de Lemos
Vice President, Corporate General
Counsel
Sumter Electric Cooperative, Inc.
330 South U.S. Highway 301
Sumterville, Florida 33583
Telephone: (352) 569-9548
tracy.delemos@secoenergy.com

For the City of Bushnell:

Jody Lamar Finklea, B.C.S.
General Counsel and Chief Legal
Officer
OFFICE *of the* GENERAL COUNSEL
Florida Municipal Power Agency
2061-2 Delta Way (32303-4240)
Post Office Box 3209
Tallahassee, Florida 32315-3209
Telephone: (850) 297-2011
jody.lamar.finklea@fmpa.com

Michael Eastburn
City Manager
City of Bushnell
PO Box 115
117 E. Joe P. Strickland, Jr. Ave.
Bushnell, Florida 33513
Telephone (352) 793-2591 ext. 1115
meastburn@cityofbushnellfl.com

3. On December 4, 2023, the Joint Petitioners entered into a second amendment (“Second Amendment”) to the Agreement, attached hereto as Attachment A, in order to transfer two parcels from Bushnell to SECO, as mutually agreed, to timely and economically allow SECO to serve new construction on such parcels.

4. The Agreement expressly provides that the effectiveness of any amendment thereto is contingent upon the subsequent approval of the Commission. The Second Amendment to the Agreement will become effective and enforceable upon the issuance of an Order by the Commission approving the Second Amendment to the Agreement in its entirety.

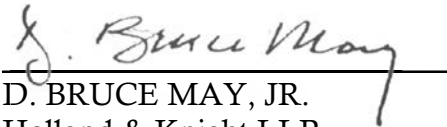
5. Except as modified as shown in Attachment A, the terms and conditions of the Agreement remain unchanged and in full force and effect, and there are no known disputed issues of material fact related to this Joint Petition.

6. The Joint Petitioners believe, and therefore represent to the Commission, that the proposed Second Amendment, and the Agreement as amended thereby, is in the public interest as it will eliminate the uneconomic duplication of services, will provide service to the two transferred parcels in an efficient and cost-effective manner, and will not cause a decrease in reliability of electrical service to existing or future customers of either Party.

7. Because the territorial area parcels addressed in the proposed Second Amendment do not currently have electric service, no customer accounts will be transferred and no written notice to customers is required.

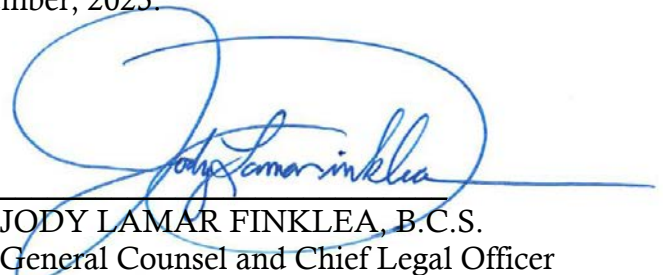
WHEREFORE, the Joint Petitioners respectfully ask the Commission to approve the proposed Second Amendment to the Agreement.

Respectfully submitted this 27 day of December, 2023.



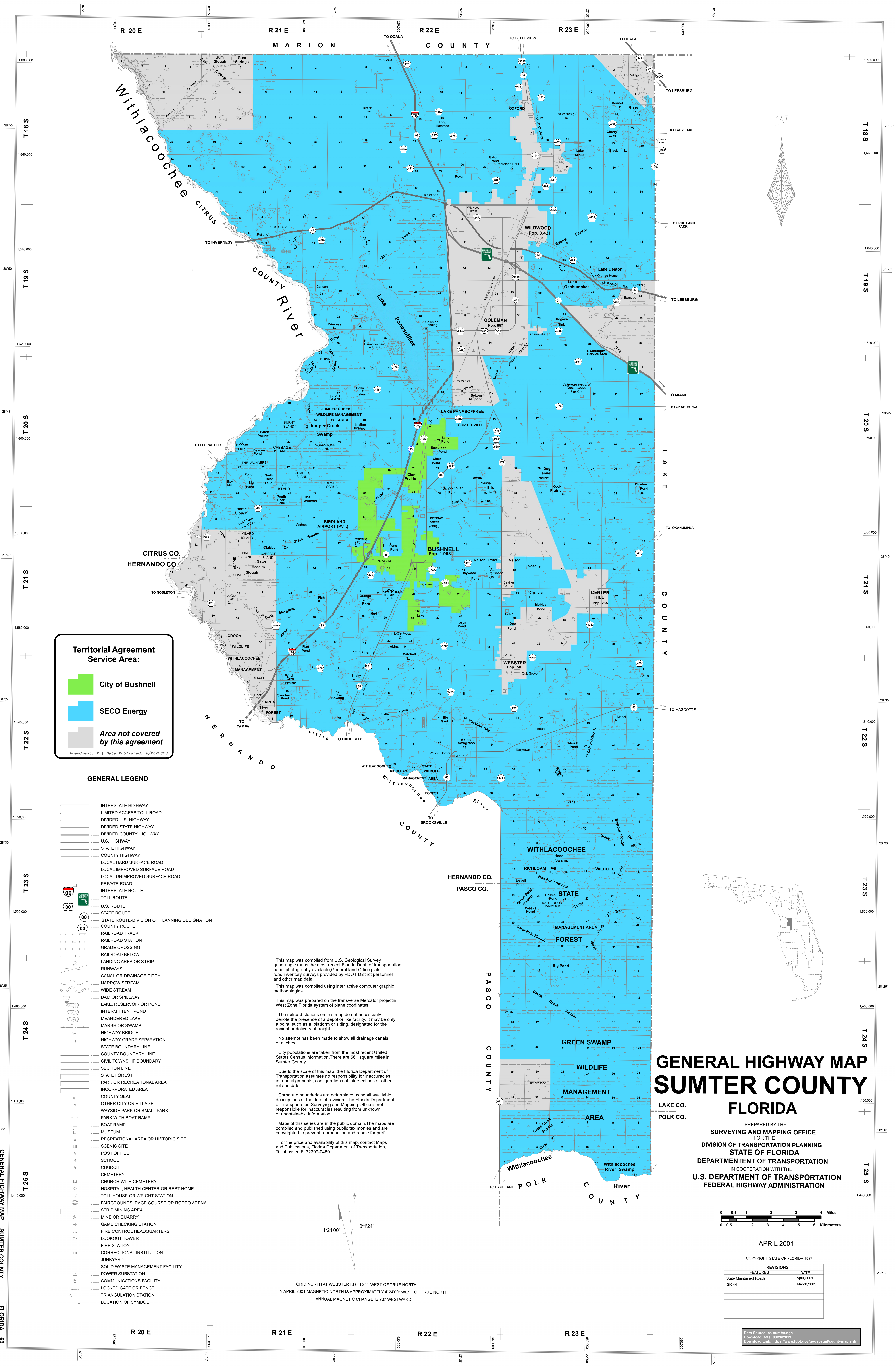
D. BRUCE MAY, JR.
Holland & Knight LLP
315 S. Calhoun St., Suite 600
Tallahassee, Florida 32301
Florida Bar No. 0354473

Counsel for Sumter Electric Cooperative, Inc.



JODY LAMAR FINKLEA, B.C.S.
General Counsel and Chief Legal Officer
Florida Municipal Power Agency
OFFICE of the GENERAL COUNSEL
2061-2 Delta Way (32303-4240)
Post Office Box 3209
Tallahassee, Florida 32315-3209
Florida Bar No. 0336970

Counsel for the City of Bushnell, Florida



Territorial Agreement Service Area:

- City of Bushnell
- SECO Energy
- Area not covered by this agreement

Amendment: 2 | Date Published: 6/26/2023

- GENERAL LEGEND**
- INTERSTATE HIGHWAY
 - LIMITED ACCESS TOLL ROAD
 - DIVIDED U.S. HIGHWAY
 - DIVIDED STATE HIGHWAY
 - U.S. HIGHWAY
 - STATE HIGHWAY
 - COUNTY HIGHWAY
 - LOCAL HARD SURFACE ROAD
 - LOCAL IMPROVED SURFACE ROAD
 - LOCAL UNIMPROVED SURFACE ROAD
 - PRIVATE ROAD
 - INTERSTATE ROUTE
 - TOLL ROUTE
 - U.S. ROUTE
 - STATE ROUTE
 - STATE ROUTE-DIVISION OF PLANNING DESIGNATION
 - COUNTY ROUTE
 - RAILROAD TRACK
 - RAILROAD STATION
 - GRADE CROSSING
 - RAILROAD BELOW
 - LANDING AREA OR STRIP
 - RUNWAYS
 - CANAL OR DRAINAGE DITCH
 - NARROW STREAM
 - WIDE STREAM
 - DAM OR SPILLWAY
 - LAKE, RESERVOIR OR POND
 - INTERMITTENT POND
 - MEANDERED LAKE
 - MARSH OR SWAMP
 - HIGHWAY BRIDGE
 - HIGHWAY GRADE SEPARATION
 - STATE BOUNDARY LINE
 - COUNTY BOUNDARY LINE
 - CIVIL TOWNSHIP BOUNDARY
 - SECTION LINE
 - STATE FOREST
 - PARK OR RECREATIONAL AREA
 - INCORPORATED AREA
 - COUNTY SEAT
 - OTHER CITY OR VILLAGE
 - WAYSIDE PARK OR SMALL PARK
 - PARK WITH BOAT RAMP
 - BOAT RAMP
 - MUSEUM
 - RECREATIONAL AREA OR HISTORIC SITE
 - SCENIC SITE
 - POST OFFICE
 - SCHOOL
 - CHURCH
 - CEMETERY
 - CHURCH WITH CEMETERY
 - HOSPITAL, HEALTH CENTER OR REST HOME
 - TOLL HOUSE OR WEIGHT STATION
 - FAIRGROUNDS, RACE COURSE OR RODEO ARENA
 - STRIP MINING AREA
 - MINE OR QUARRY
 - GAME CHECKING STATION
 - FIRE CONTROL HEADQUARTERS
 - LOOKOUT TOWER
 - FIRE STATION
 - CORRECTIONAL INSTITUTION
 - JUNKYARD
 - SOLID WASTE MANAGEMENT FACILITY
 - POWER SUBSTATION
 - COMMUNICATIONS FACILITY
 - LOCKED GATE OR FENCE
 - TRIANGULATION STATION
 - LOCATION OF SYMBOL

This map was compiled from U.S. Geological Survey quadrangle maps, the most recent Florida Dept. of transportation aerial photography available, General Land Office plats, road inventory surveys provided by FDOT District personnel and other map data.

This map was compiled using inter active computer graphic methodologies.

This map was prepared on the transverse Mercator projection West Zone Florida system of plane coordinates.

The railroad stations on this map do not necessarily denote the presence of a depot or like facility. It may be only a point, such as a platform or siding, designated for the receipt or delivery of freight.

No attempt has been made to show all drainage canals or ditches.

City populations are taken from the most recent United States Census information. There are 561 square miles in Sumter County.

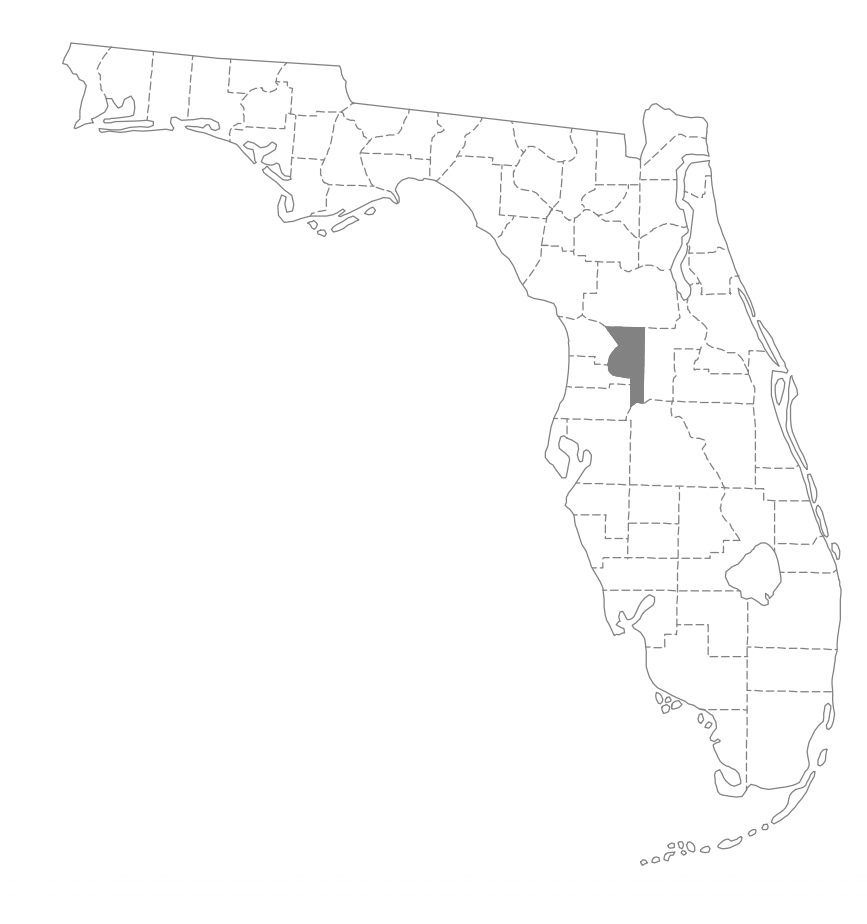
Due to the scale of this map, the Florida Department of Transportation assumes no responsibility for inaccuracies in road alignments, configurations of intersections or other related data.

Corporate boundaries are determined using all available descriptions at the date of revision. The Florida Department of Transportation Surveying and Mapping Office is not responsible for inaccuracies resulting from unknown or obtainable information.

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For the price and availability of this map, contact Maps and Publications, Florida Department of Transportation, Tallahassee, FL 32399-0450.

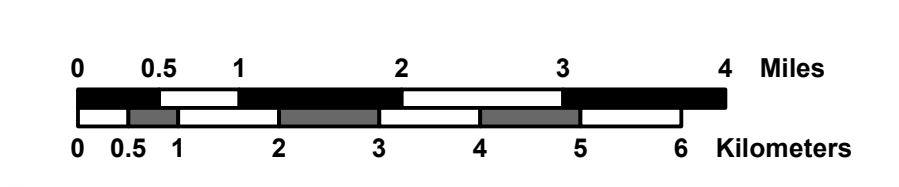
GRID NORTH AT WEBSTER IS 0°12'24" WEST OF TRUE NORTH
 IN APRIL 2001 MAGNETIC NORTH IS APPROXIMATELY 4°24'00" WEST OF TRUE NORTH
 ANNUAL MAGNETIC CHANGE IS 7.0' WESTWARD



GENERAL HIGHWAY MAP SUMTER COUNTY FLORIDA

LAKE CO.
POLK CO.

PREPARED BY THE
SURVEYING AND MAPPING OFFICE
FOR THE
DIVISION OF TRANSPORTATION PLANNING
STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION
IN COOPERATION WITH THE
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION



APRIL 2001

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REVISIONS	
FEATURES	DATE
State Maintained Roads	April 2001
SR 44	March 2009

Data Source: cs-sumter.dgn
 Download Date: 9/26/2018
 Download Link: https://www.fdot.gov/geospatial/countymap.shtml

EXHIBIT "A": SECO ENERGY & CITY OF BUSHNELL TERRITORIAL BOUNDARY MAPS

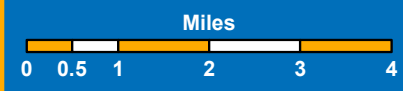
Map Legend:

Territorial Agreement
Service Area:


-  City of Bushnell
-  SECO Energy
-  Area not covered
by this agreement

 Map Book Page
Quarter Grid Boundary

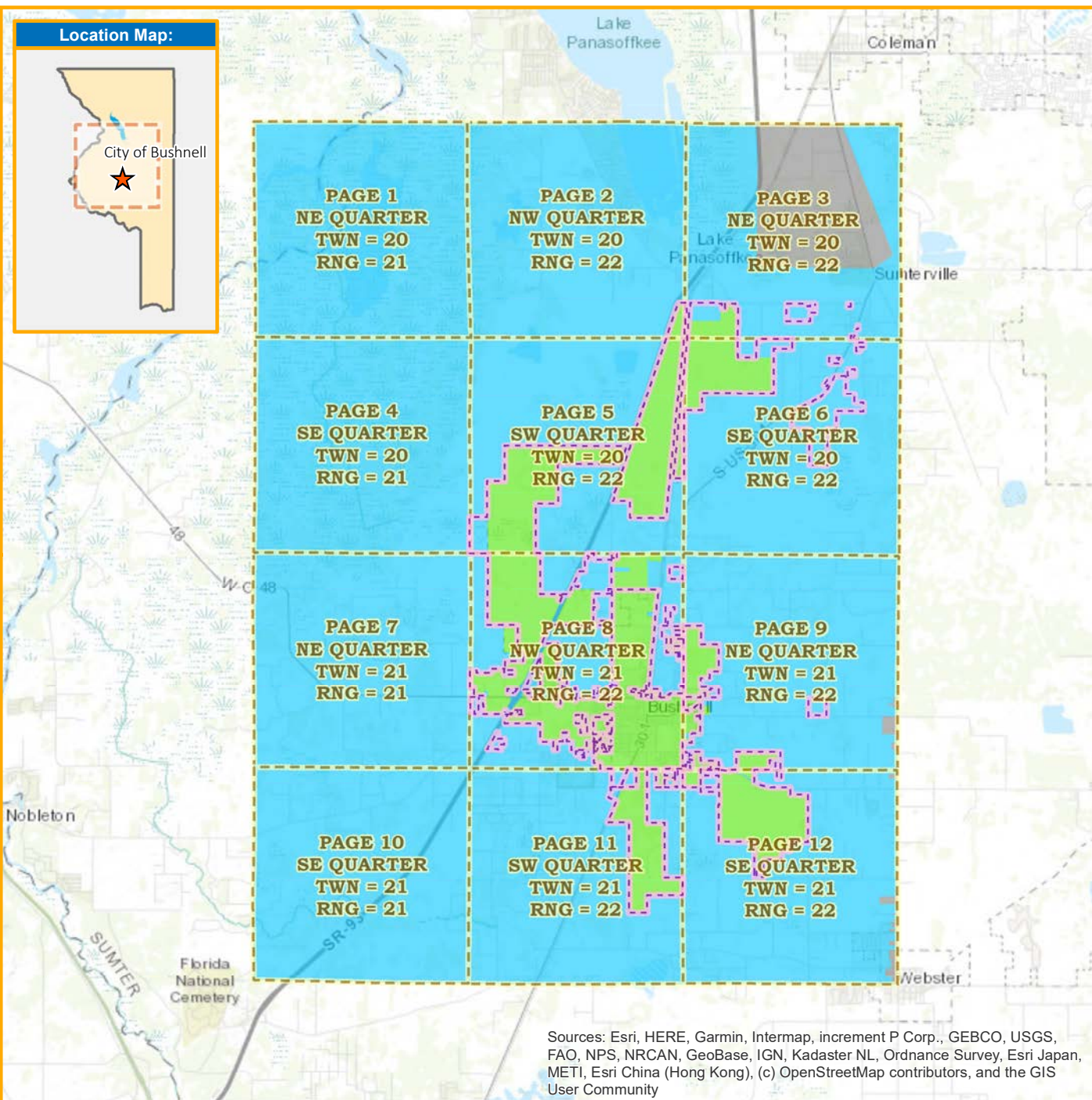
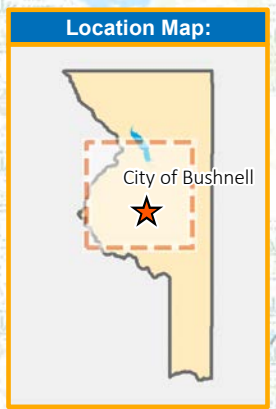
 City of Bushnell Limits
(April 2023)



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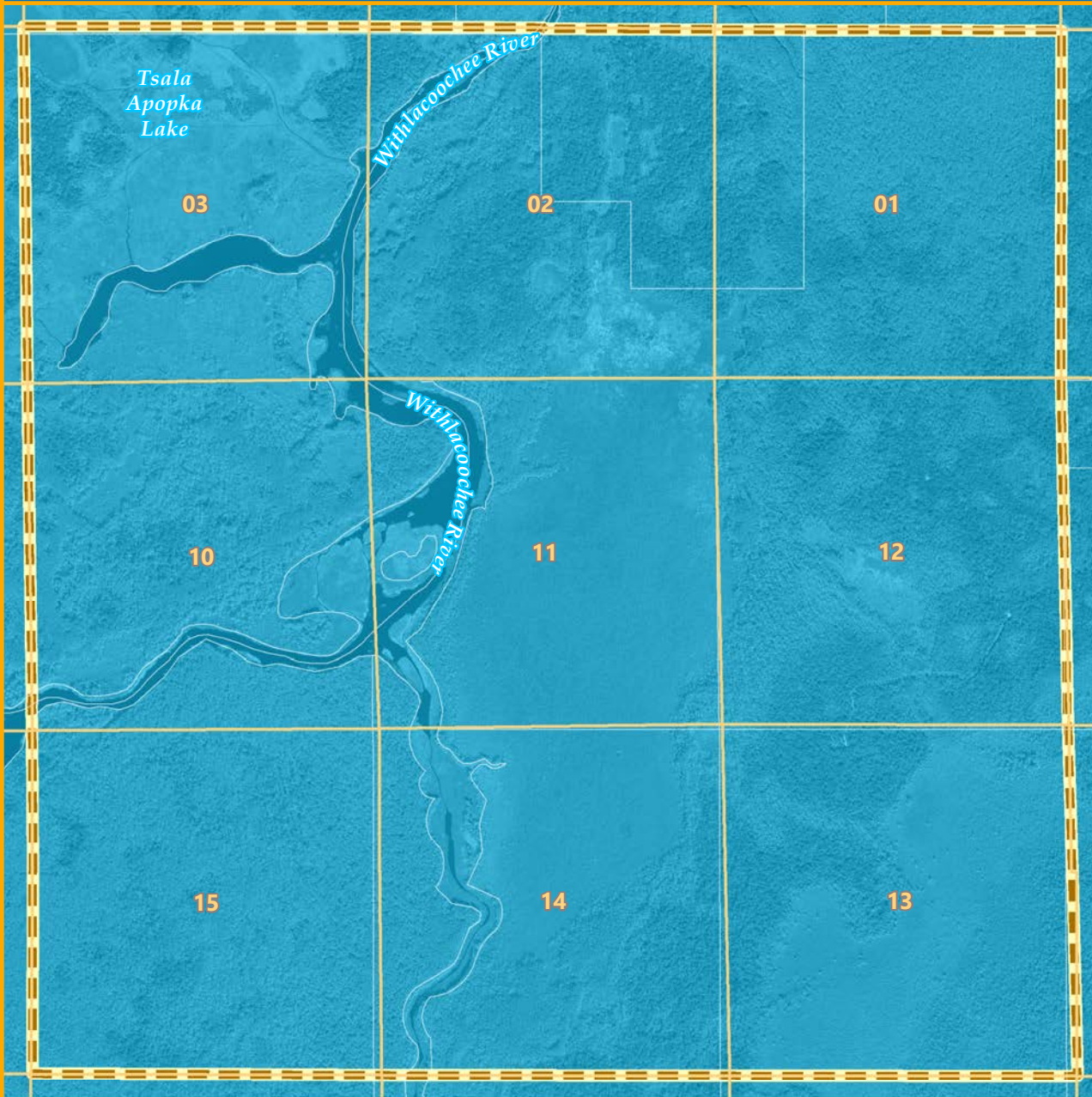
Amendment: 2 | Date Published: 6/26/2023



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Not part of the map book

Not part of the map book



PAGE 2 : NW QUARTER, TWN = 20, RNG = 22

PAGE 4 : SE QUARTER, TWN = 20, RNG = 21

EXHIBIT "A"

PAGE 1:

SUMTER COUNTY, FL
NE QUARTER
TOWNSHIP = 20
RANGE = 21

Map Legend:

Territorial Agreement
Service Area:

- City of Bushnell
- SECO Energy
- Area not covered by this agreement

City of Bushnell Limits (April 2023)

Quarter Grid Boundary

Section Boundary

Parcel

Railway

Road



Miles



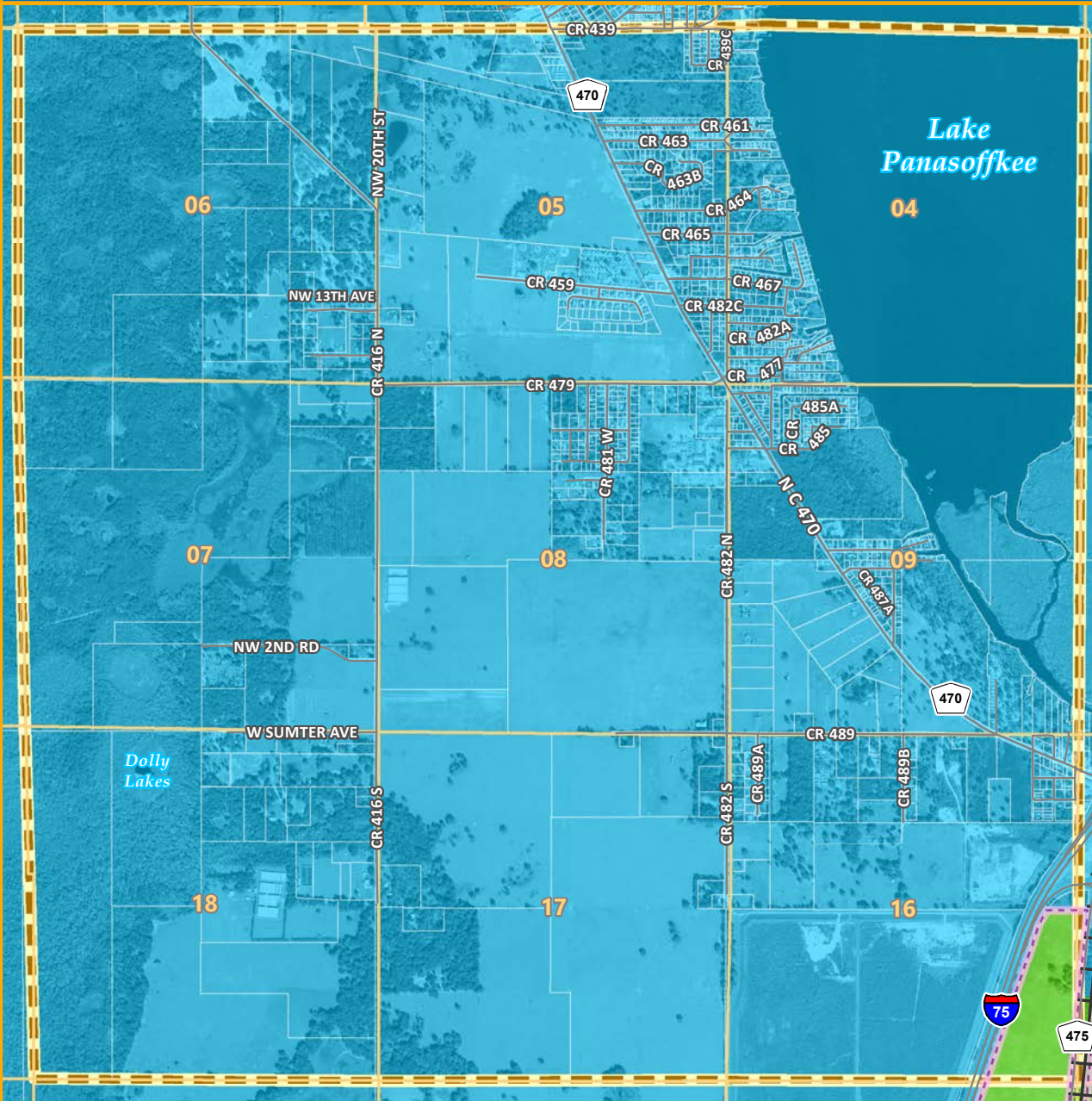
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PAGE 1 : NE QUARTER, TWN = 20, RNG = 21



PAGE 5 : SW QUARTER, TWN = 20, RNG = 22

PAGE 3 : NE QUARTER, TWN = 20, RNG = 22

EXHIBIT "A"

PAGE 2:

SUMTER COUNTY, FL
NW QUARTER
TOWNSHIP = 20
RANGE = 22

Map Legend:

Territorial Agreement
Service Area:

- City of Bushnell
- SECO Energy
- Area not covered by this agreement

City of Bushnell Limits (April 2023)

Quarter Grid Boundary

Section Boundary

Parcel

Railway

Road



Miles



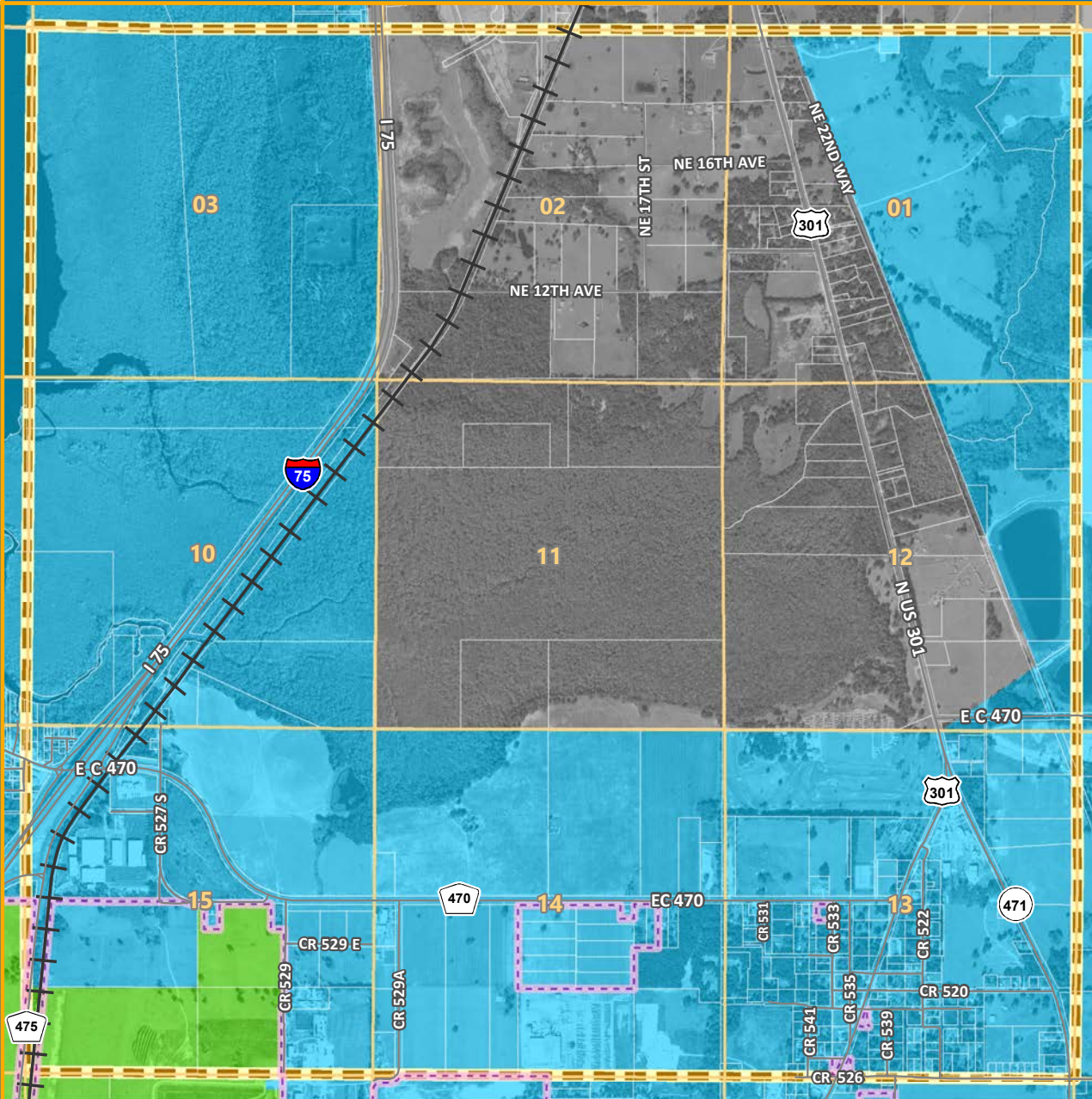
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PAGE 2: NW QUARTER, TWN = 20, RNG = 22



PAGE 6: SE QUARTER, TWN = 20, RNG = 22

Not part of the map book

EXHIBIT "A"

PAGE 3:

SUMTER COUNTY, FL
NE QUARTER
TOWNSHIP = 20
RANGE = 22

Map Legend:

Territorial Agreement
Service Area:

- City of Bushnell
- SECO Energy
- Area not covered by this agreement

City of Bushnell Limits (April 2023)

Quarter Grid Boundary

Section Boundary

Parcel Railway

Road



Miles



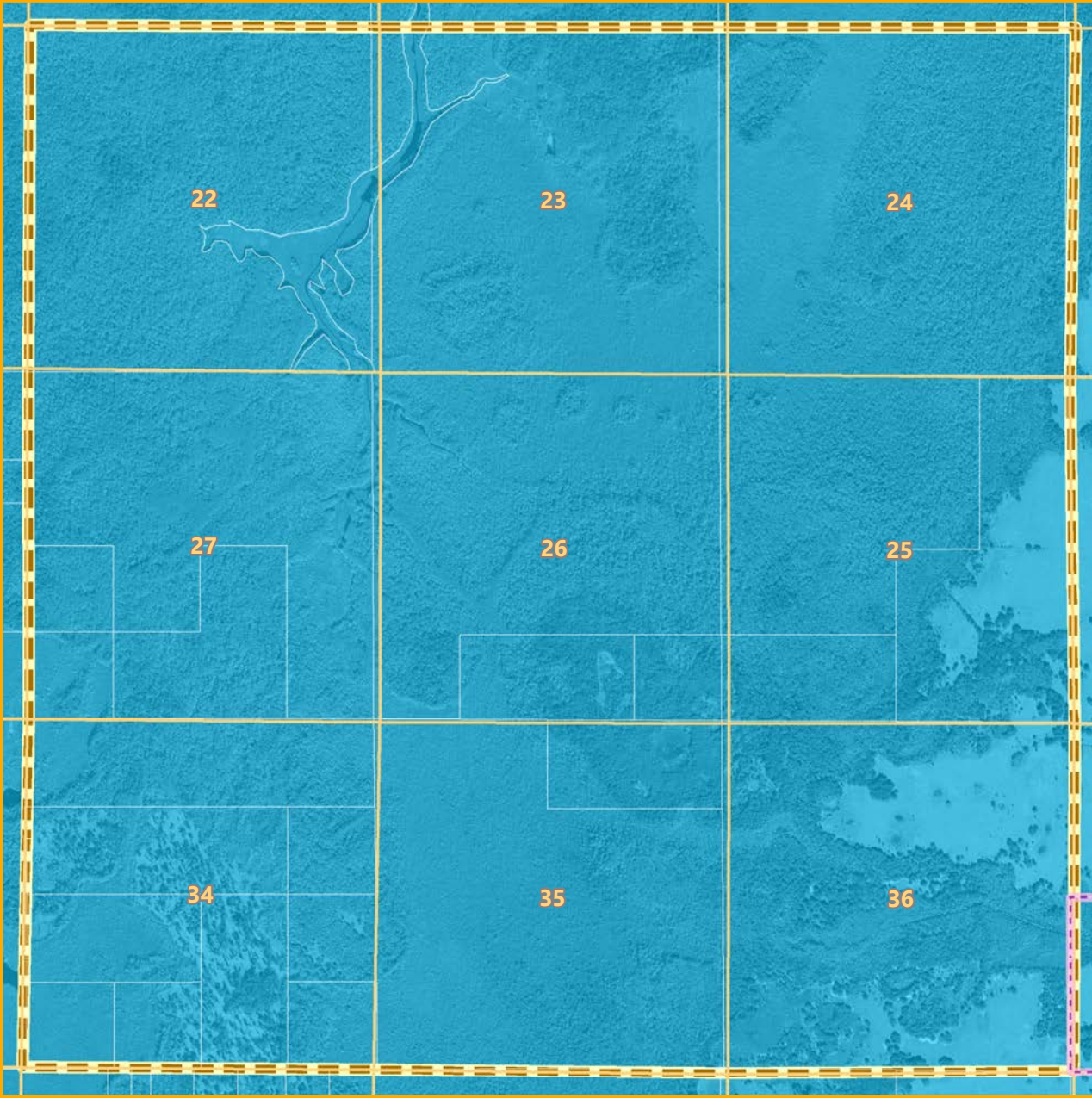
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PAGE 1: NE QUARTER, TWN = 20, RNG = 21

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PAGE 5: SW QUARTER, TWN = 20, RNG = 22




PAGE 7: NE QUARTER, TWN = 21, RNG = 21

EXHIBIT "A"

PAGE 4:
SUMTER COUNTY, FL
SE QUARTER
TOWNSHIP = 20
RANGE = 21

Map Legend:

Territorial Agreement
Service Area:

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-  SECO Energy
-  Area not covered by this agreement

 City of Bushnell Limits (April 2023)

 Quarter Grid Boundary

 Section Boundary

 Parcel

 Railway

 Road



Miles



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EXHIBIT "A"
PAGE 5:
SUMTER COUNTY, FL
SW QUARTER
TOWNSHIP = 20
RANGE = 22

Map Legend:

Territorial Agreement
Service Area:

-  City of Bushnell
-  SECO Energy
-  Area not covered by this agreement

 City of Bushnell Limits (April 2023)

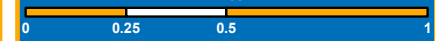
 Quarter Grid Boundary

 Section Boundary

 Parcel

 Railway

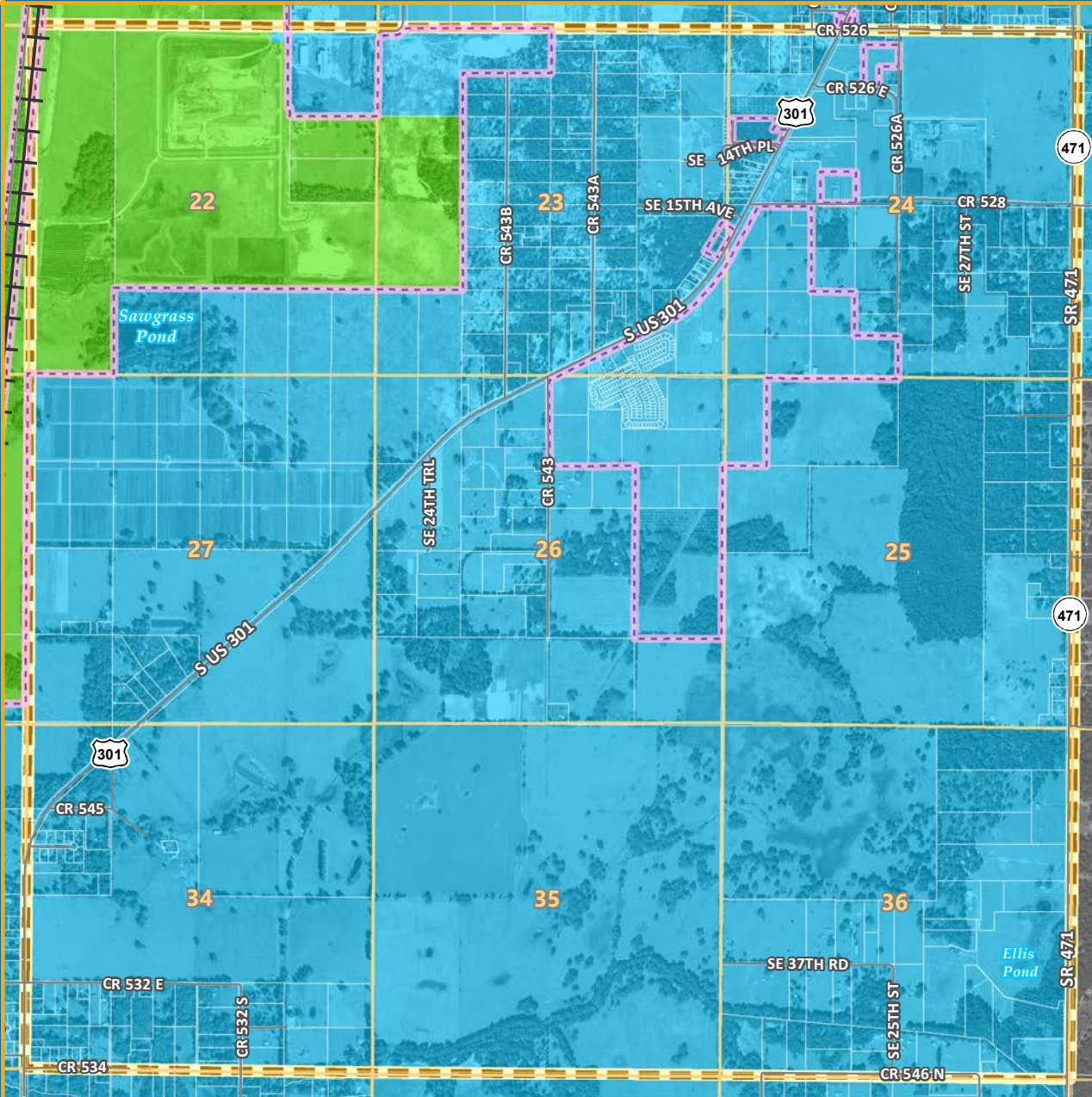
 Road



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EXHIBIT "A"

PAGE 6:

SUMTER COUNTY, FL
SE QUARTER
TOWNSHIP = 20
RANGE = 22

Map Legend:

Territorial Agreement
Service Area:

-  City of Bushnell
-  SECO Energy
-  Area not covered by this agreement

 City of Bushnell Limits (April 2023)

 Quarter Grid Boundary

 Section Boundary

 Parcel

 Railway

 Road



Miles



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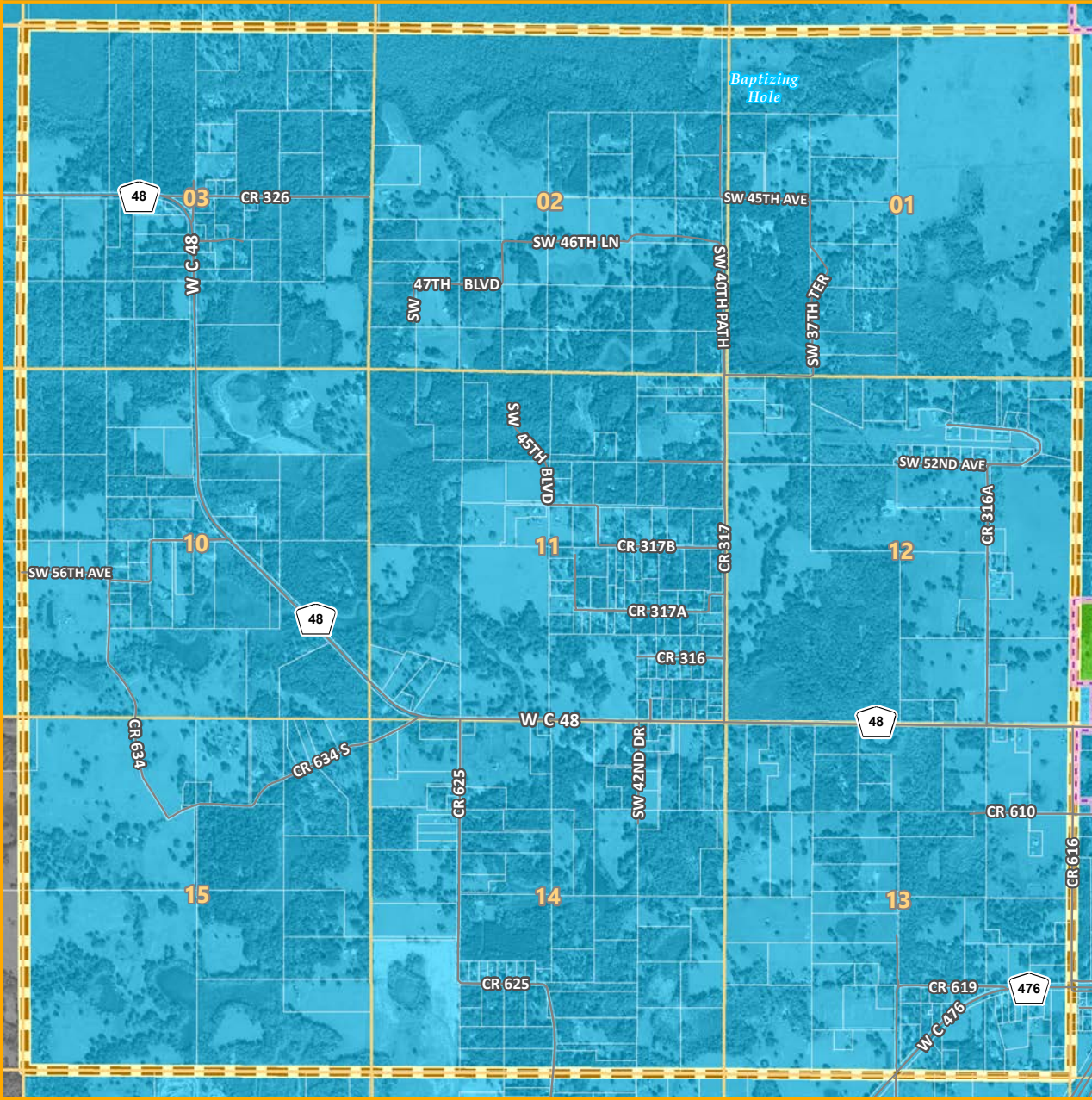





EXHIBIT "A"

PAGE 7: SUMTER COUNTY, FL NE QUARTER TOWNSHIP = 21 RANGE = 21

PAGE 8: NW QUARTER, TWN = 21, RNG = 22

Map Legend:

Territorial Agreement
Service Area:

-  City of Bushnell
-  SECO Energy
-  Area not covered by this agreement

 City of Bushnell Limits
(April 2023)

 Quarter Grid Boundary

 Section Boundary

 Parcel

 Railway

 Road



Miles



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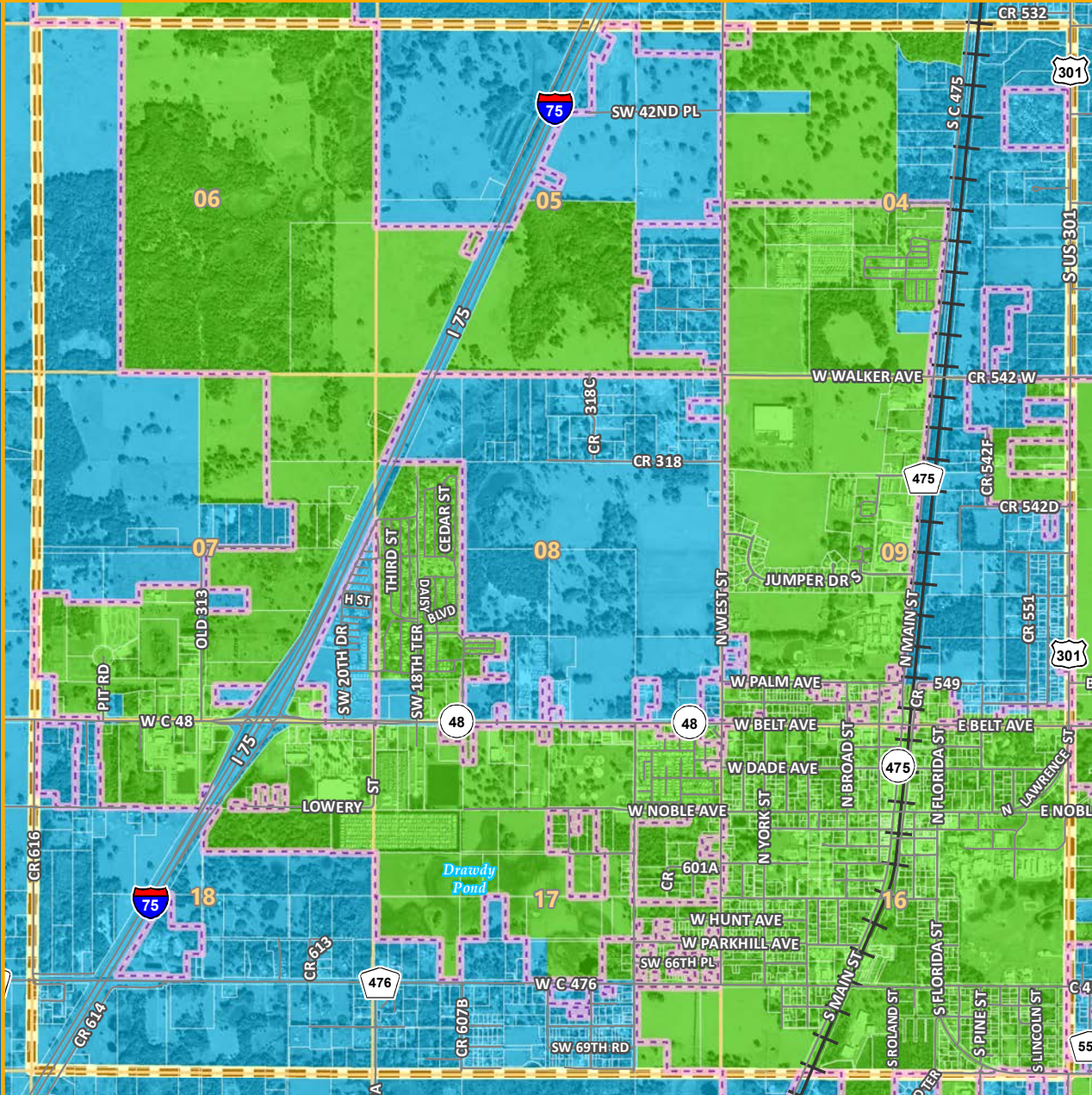


EXHIBIT "A"
PAGE 8:
SUMTER COUNTY, FL
NW QUARTER
TOWNSHIP = 21
RANGE = 22

Map Legend:

Territorial Agreement
Service Area:

-  City of Bushnell
-  SECO Energy
-  Area not covered by this agreement

 City of Bushnell Limits (April 2023)

 Quarter Grid Boundary

 Section Boundary

 Parcel

 Railway

 Road



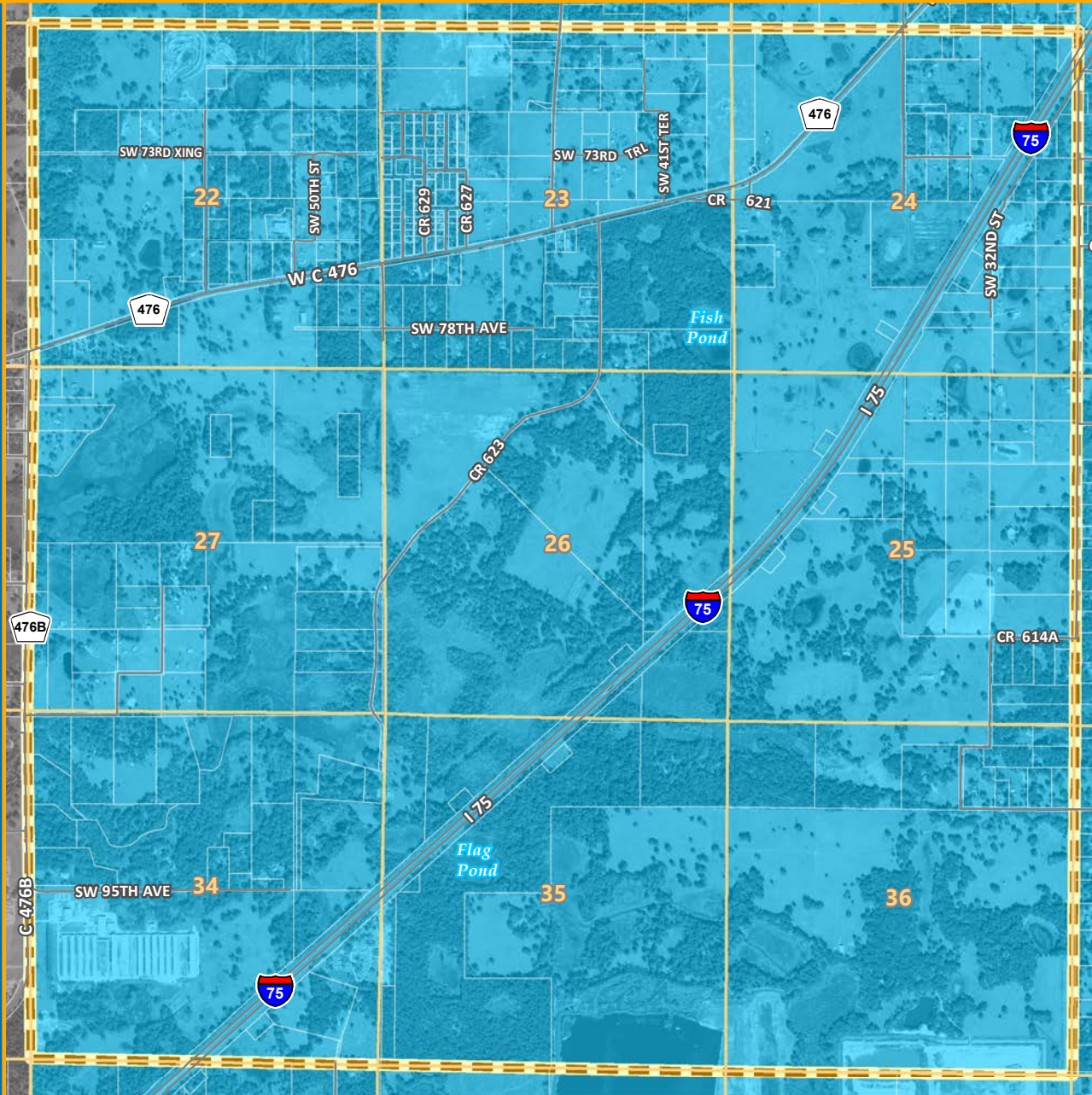
0 0.25 0.5 1
Miles

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PAGE 11: SW QUARTER, TWN = 21, RNG = 22

Not part of the map book

Map Legend:

Territorial Agreement Service Area:

-  City of Bushnell
-  SECO Energy
-  Area not covered by this agreement

 City of Bushnell Limits (April 2023)

 Quarter Grid Boundary

 Section Boundary

 Parcel

 Railway

 Road



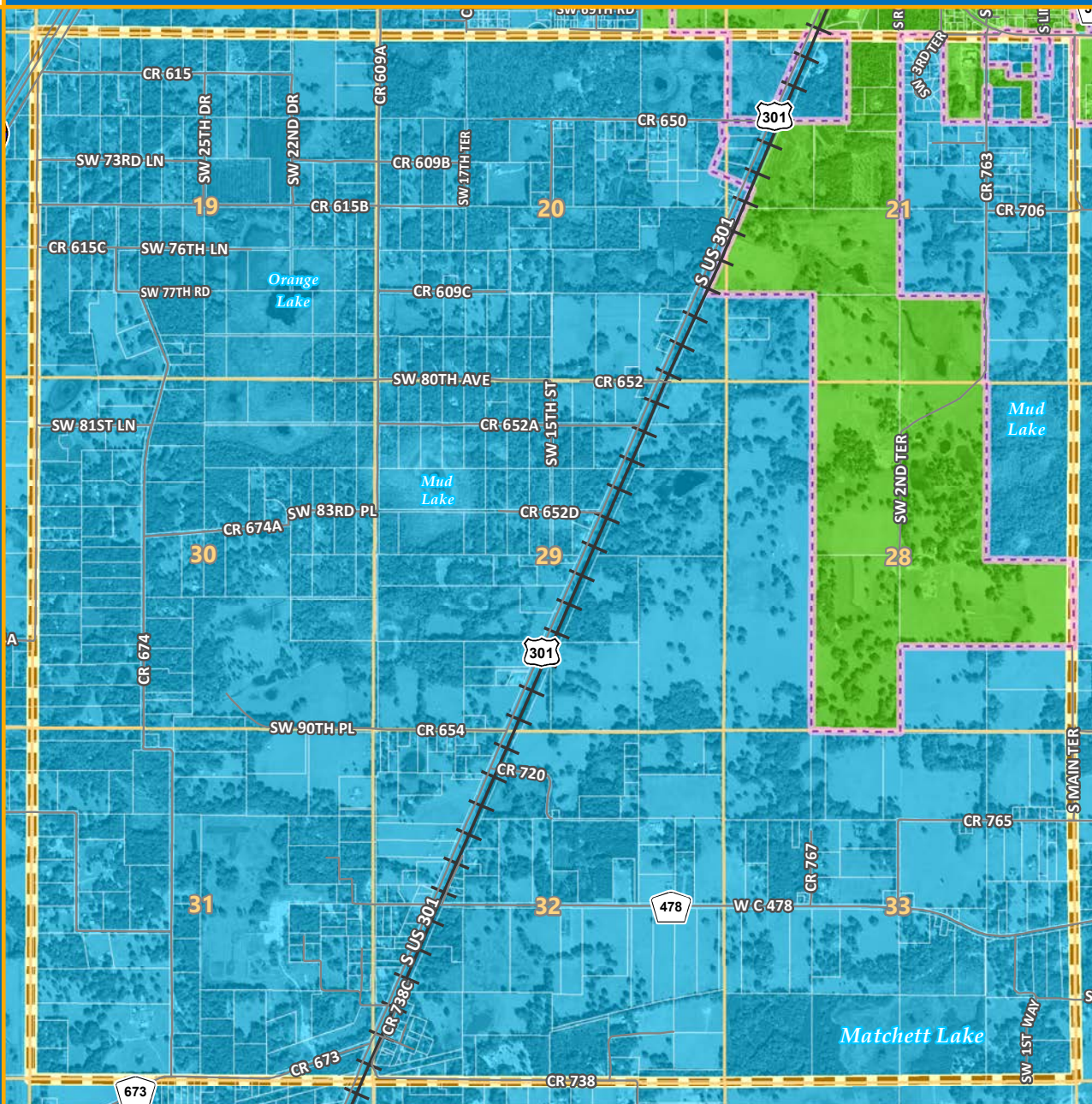
Miles



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Map Legend:

Territorial Agreement Service Area:

-  City of Bushnell
-  SECO Energy
-  Area not covered by this agreement

 City of Bushnell Limits (April 2023)

 Quarter Grid Boundary

 Section Boundary

 Parcel

 Railway

 Road



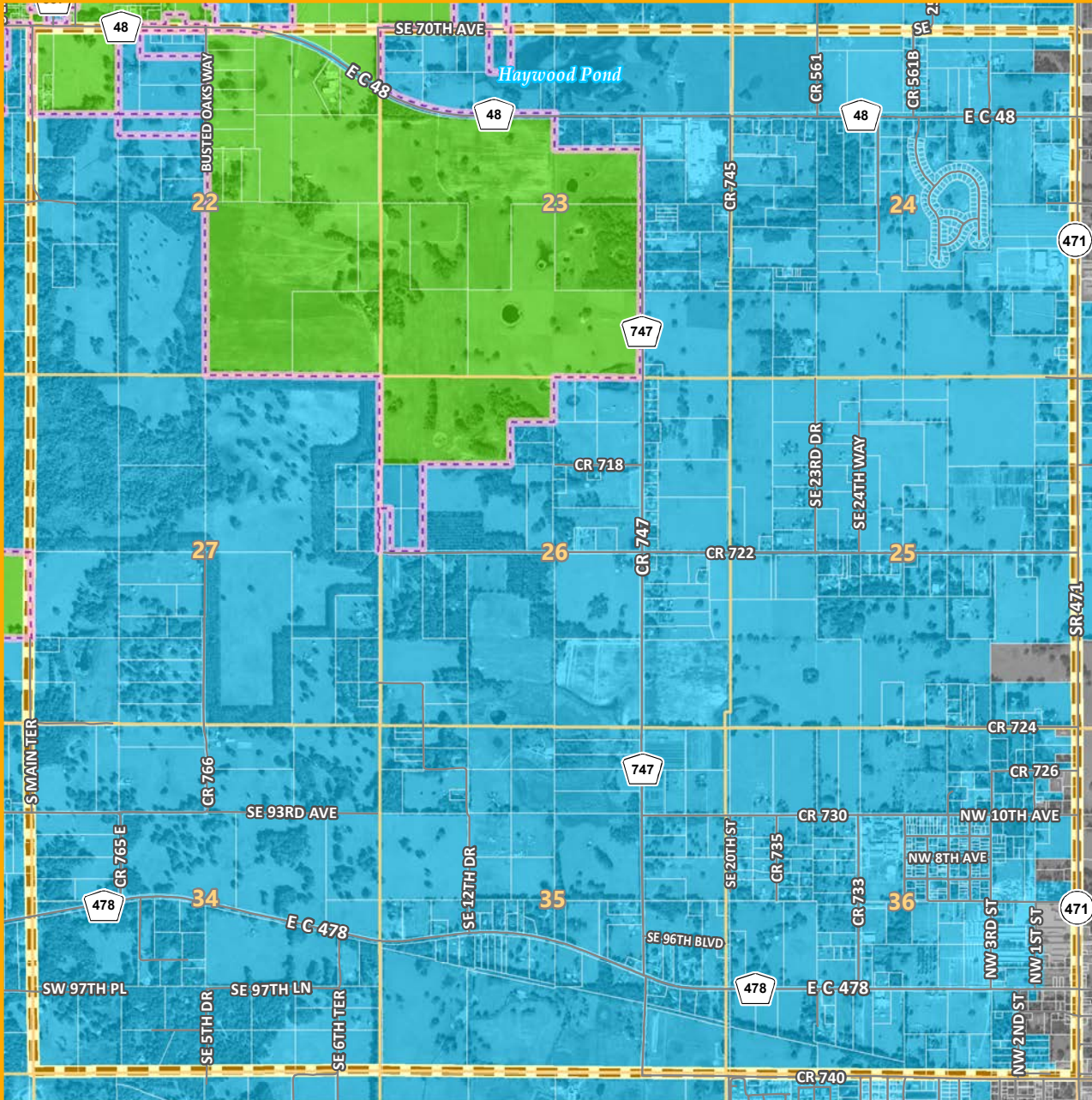
Miles



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Not part of the map book

Not part of the map book




EXHIBIT "A"

PAGE 12:

SUMTER COUNTY, FL
SE QUARTER
TOWNSHIP = 21
RANGE = 22

Map Legend:

Territorial Agreement Service Area:

-  City of Bushnell
-  SECO Energy
-  Area not covered by this agreement

 City of Bushnell Limits (April 2023)

 Quarter Grid Boundary

 Section Boundary

 Parcel

 Railway

 Road



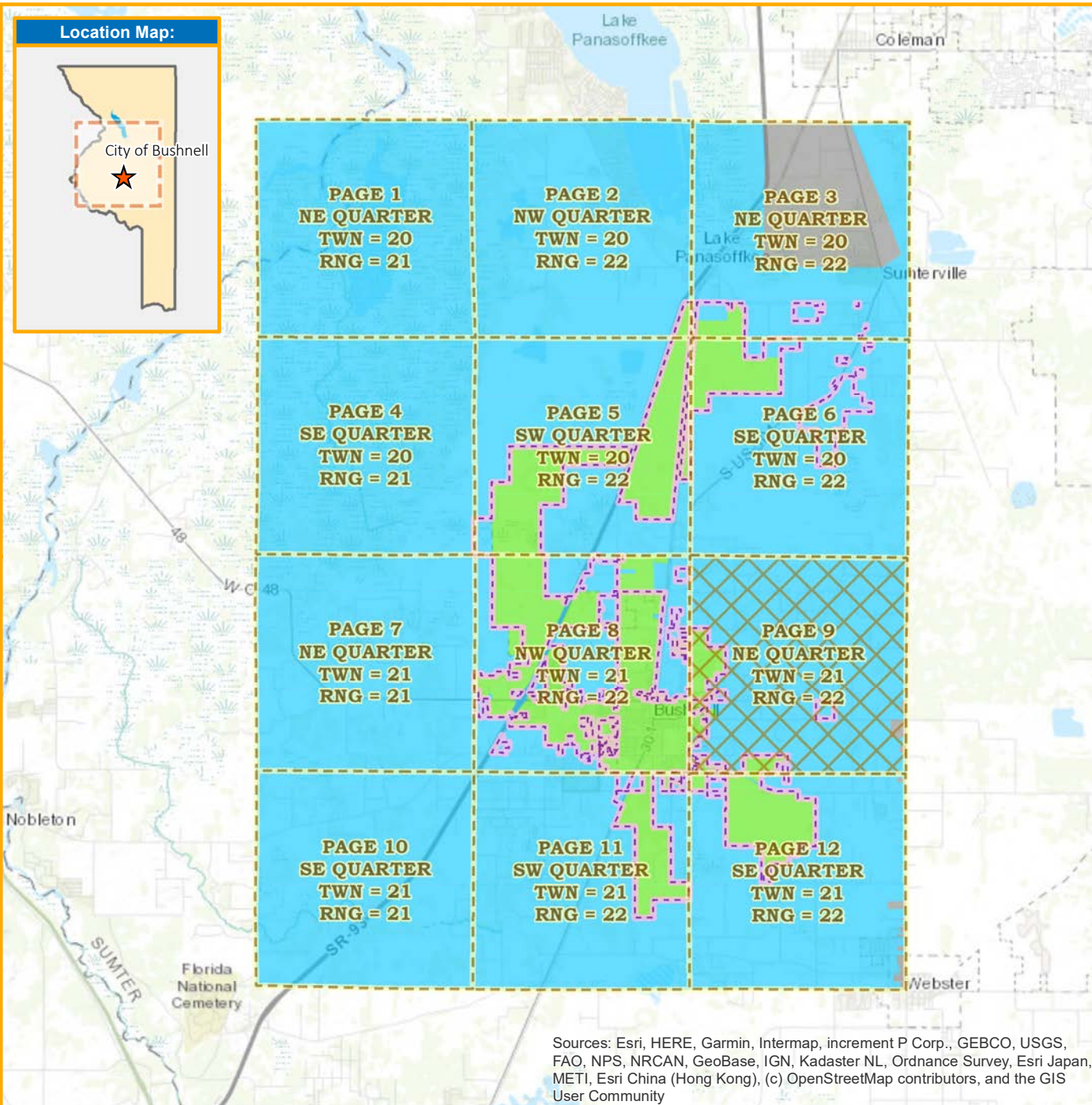
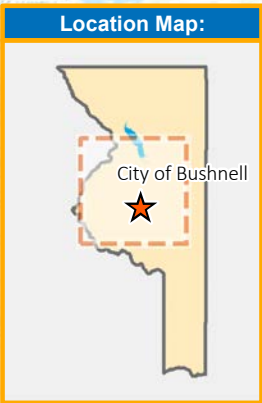
Miles



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Amendment: 2 | Date Published: 6/26/2023



**EXHIBIT "B":
SECO ENERGY &
CITY OF BUSHNELL
TERRITORIAL
AGREEMENT CHANGES**

Map Legend:

Territorial Agreement Service Area:

- City of Bushnell (COB)
- SECO Energy (SECO)
- Area not covered by this agreement

Map Book Page Quarter Grid Boundary

Page with Redrows

City of Bushnell Limits (April 2023)

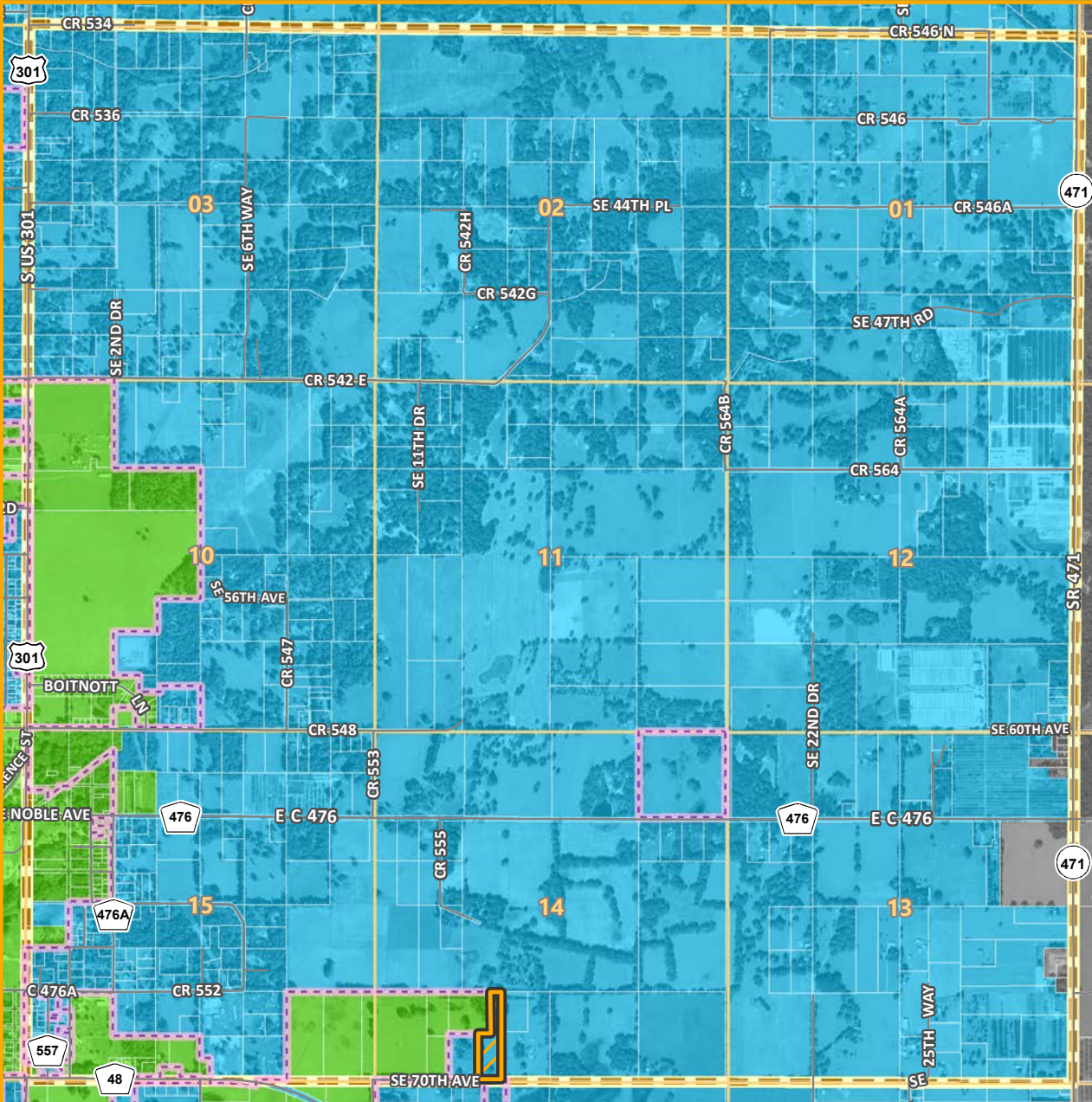
Miles

0 0.5 1 2 3 4

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Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



REDRAWS

PAGE 9:

SUMTER COUNTY, FL
NE QUARTER
TOWNSHIP = 21
RANGE = 22

Map Legend:



COB to SECO

Territorial Agreement
Service Area:



City of Bushnell



SECO Energy



Area not covered
by this agreement



COB Limits
(Apr 2023)



Parcel



Quarter Grid
Boundary



Road



Section
Boundary



Miles

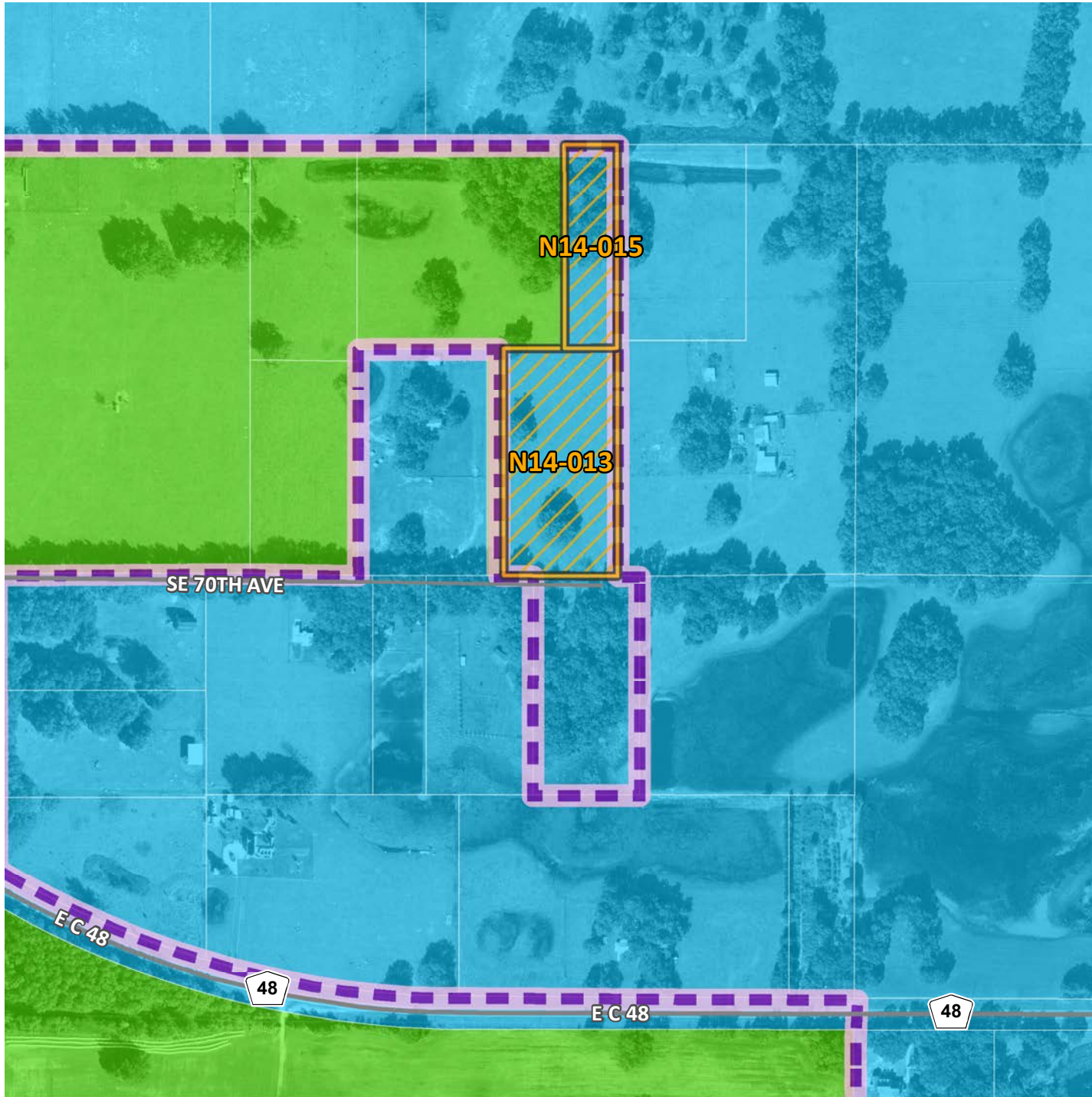


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Not part of the map book









**Parcel Redraws
COB to SECO:
N14-013 &
N14-015**

Map Legend:

-  Parcel Redraws: COB to SECO


Territorial Agreement Service Area:

-  City of Bushnell (COB)
-  SECO Energy (SECO)
-  COB Limits (Apr 2023)
-  Parcel
-  Road


Feet

0 150 300 600 900

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