

**Dorothy Menasco**

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**Sent:** Friday, August 12, 2011 3:29 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Lisa Bennett; 'Robert Scheffel Wright'; 'fbondurant@embarqmail.com'; 'CHRISTENSEN.PATTY'; 'Geoffroy, Tom'  
**Subject:** Docket No. 100459-EI  
**Attachments:** 20110812151744105.pdf; 20110812151807619.pdf

Attached for electronic filing, please find Florida Public Utilities Company's Motion to Dismiss the Amended Petition of the City of Marianna, Florida, and a separate Request for Oral Argument on the Motion to Dismiss. Please do not hesitate to contact me if you have any questions.

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a. Person responsible for this electronic filing:

Beth Keating  
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b. Docket No. 100459-EI - Petition for authority to implement a demonstration project consisting of proposed time-of-use and interruptible rate schedules and corresponding fuel rates in the Northwest Division on an experimental basis and request for expedited treatment, by Florida Public Utilities Company.

c. On behalf of: Florida Public Utilities Company

d. Total Number of Pages: Document 1 (ending in 9): Motion to Dismiss – 17 pages  
 Document 2 (ending in 5): Request for Oral Argument – 4 pages

e. Description: Document 1: FPUC's Motion to Dismiss Amended Petition of Marianna  
 Document 2: FPUC's Request for Oral Argument on its Motion to Dismiss



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Writer's Direct Dial Number: (850) 521-1706  
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August 12, 2011

**VIA ELECTRONIC FILING: *FILINGS@PSC.STATE.FL.US***

Ms. Ann Cole  
Office of the Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Docket NO. 100459-EI - **Petition for authority to implement a demonstration project consisting of proposed time-of-use and interruptible rate schedules and corresponding fuel rates in the Northwest Division on an experimental basis and request for expedited treatment, by Florida Public Utilities Company.**

Dear Ms. Cole:

Attached for electronic filing in the above-referenced Docket, please find Florida Public Utilities Company's Request for Oral Argument on its Motion to Dismiss The Amended Petition of the City of Marianna, Florida, which has also been filed in the referenced Docket today.

Thank you for your kind assistance with this filing. As always, please do not hesitate to contact me if you have any questions whatsoever.

Sincerely,

Beth Keating  
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MEK

DOCUMENT NUMBER-DATE  
**05718 AUG 12 =**  
FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Petition for authority to implement a demonstration project consisting of proposed time-of-use and interruptible rate schedules and corresponding fuel rates in the Northwest Division on an experimental basis and request for expedited treatment, by Florida Public Utilities Company.**

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Docket No. 100459-EI  
Filed: August 12, 2011

**FLORIDA PUBLIC UTILITIES COMPANY'S REQUEST FOR ORAL ARGUMENT ON ITS MOTION TO DISMISS THE AMENDED PETITION OF THE CITY OF MARIANNA, FLORIDA**

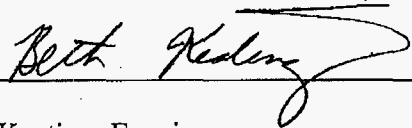
Pursuant to Rule 25-22.0022, Florida Administrative Code, Florida Public Utilities Company ("FPUC" or "Company"), respectfully requests that the Florida Public Service Commission grant oral argument on its Motion to Dismiss the Amended Petition of the City of Marianna, Florida, which has been filed contemporaneously with this request.

Oral argument would aid the Commissioners in their evaluation of the viability of the City's Petition and the Company's request for dismissal, and facilitate the Commission's consideration of whether the City's request that this matter proceed to hearing has any merit.

WHEREFORE, Florida Public Utilities Company respectfully requests that the Commission grant Oral Argument on its Motion to Dismiss the Amended Petition of the City of

Marianna, Florida, and allow each party 5 - 10 minutes for oral presentations.

Respectfully submitted this 12<sup>th</sup> day of August, 2011.

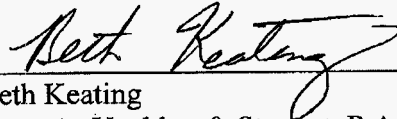
By: 

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### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing were sent via Electronic\* or U.S. Mail on August 12, 2011 to:

Office of the Public Counsel* c/o The Florida Legislature 111 West Madison St., Rm. 812 Tallahassee, FL 32399-1400	Robert Scheffel Wright* John T. LaVia c/o Young Law Firm 225 South Adams Street, Suite 200 Tallahassee, FL 32301
Frank E. Bondurant, City Attorney* Bondurant and Fuqua, P.A. 4450 Lafayette St. P.O. Box 1508 Marianna, FL 32447	Lisa Bennett, Esquire* Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850



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