

Matilda Sanders

PSC-12-6026-FOF-VP

110306-VP

From: Diamond Williams
Sent: Friday, February 24, 2012 1:10 PM
To: CLK - Orders / Notices; Pauline Robinson
Subject: Order / Notice Submitted

Date and Time: 2/24/2012 1:06:00 PM
Docket Number: 110306-TP
Filename / Path: 110306 Final Order PER 0272012.doc

ORDER GRANTING MOTION TO DISMISS WITHOUT PREJUDICE

Please issue order today.

Thank you,

Diamond Williams
Deputy Clerk II
Office of General Counsel
Florida Public Service Commission
Email: diwillia@psc.state.fl.us
Phone: 850-413-6094

FAXED - 0
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EMAILED - 2

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DOCUMENT NO. 08323-11		
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**FLORIDA PUBLIC SERVICE COMMISSION
CASE MANAGEMENT SYSTEM
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 110306**

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
AT&T Florida	TL720	greg.follensbee@att.com	No
FLATEL, Inc.	TX164	AMatari@Flatel.net	No

Commission Clerk

Subject: FPSC E-service of Document NO. 01078-12 in Docket 110306-TP (Email ID = 317340)

The document described below has been issued by the Florida Public Service Commission and filed with the Office of Commission Clerk. As a party of record at the time of issuance or, if applicable, an interested person, you are being provided this information electronically.

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DOCUMENT NO.	DESCRIPTION
<u>01078-12 (7 pgs.)</u>	Order PSC-12-0085-FOF-TP granting AT&T Florida's motion to dismiss FLATEL'S petition, without prejudice; closing docket.

110306-TP

FLORIDA PUBLIC SERVICE COMMISSION
CASE MANAGEMENT SYSTEM
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 110306

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
AT&T Florida	TL720	greg.follensbee@att.com	No
FLATEL, Inc.	TX164	AMatari@Flatel.net	No

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DOCUMENT NO.	DESCRIPTION
00673-12 (8 pgs.)	Revised RECOM for 02/14/12 Commission conference, Item __, from GCL and RAD staff.

Docket Index for January 24, 2012, Commission Conference Agenda

- **PLEASE NOTE:** This list is assembled for the administrative convenience of CLK personnel and does not represent the final agenda product. Persons who rely on this list for any purpose do so at their own risk.

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3. 100459-EI
4. 110071-TP
5. 110272-EU
6. 110305-EI
- ✓ 7. 110306-TP
8. 110312-EQ
9. 110207-EI
10. 110320-GU
11. 120005-WS

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Mep
 Gov. OFFICIALS
 Lake Co
 110272-EI

**FLORIDA PUBLIC SERVICE COMMISSION
CASE MANAGEMENT SYSTEM
PARTICIPATING EMAIL ADDRESSES**

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
Alturas Utilities, L.L.C.	WU871	utilityconsultant@yahoo.com	Yes
Anglers Cove West, Ltd.	WS817	baltman@centurycompanies.net	Yes
Aqua Utilities Florida, Inc.	SU821	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS688	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS768	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS798	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS880	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS881	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS883	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS884	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS885	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS886	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS887	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS888	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS938	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WU174	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WU787	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WU879	WTRendell@aquaaamerica.com	Yes
Aqua Utilities Florida, Inc.	WU882	WTRendell@aquaaamerica.com	Yes
AT&T Florida	TL720	greg.follensbee@att.com	No
AT&T Florida (f/k/a BellSouth Telecommunications) (11agr)		greg.follensbee@att.com	No
BFF Corp.	SU595	charlie@alternativephone.com	Yes
Black Bear Reserve Water Corporation	WU940	blackbearwater@gmail.com	Yes
Brendenwood Utilities, LLC.	WU951	gpcconnollyjr@gmail.com	Yes
C & H Utilities, Inc.	WU649	shortutility@embarqmail.com	Yes
C.F.A.T. H2O, Inc.	WS719	charlie@alternativephone.com	Yes
Camachee Cove Yacht Harbor Utility	WU927	marlene.camachee@comcast.net	Yes
Cedar Acres Inc	WU917	DavidJSimons@aol.com	Yes
Central Sumter Utility Company, L.L.C.	WS897	John.wise@thevillages.com	Yes
Century Estates Utilities, Inc.	WU725	jlinartas@yahoo.com	Yes
CHC VII, Ltd.	WS816	baltman@centurycompanies.net	Yes
City of Marianna		deanj@cityofmarianna.com	No
Colina Bay Water Company, LLC	WU900	shelley@reserveinvest.com	Yes
Commercial Utilities, Division of Grace and Company, Inc.	WS090	Incgrace@aol.com	Yes
comverge		sfay@comverge.com	No
Continental Utility, Inc.	WS606	gm@continentalcountryclub.com	Yes
Coral Cay Water & Sewer Company	WS731	coral_cay_manager@equitylifestyle.com	Yes
Country Club Utilities, Inc.	WS654	rgreggharris@gmail.com	Yes
County-Wide Utility Co., Inc.	WU008	countywide@leewardairranch.com	Yes
Crestridge Utility Corporation	WU049	countrygirl@svs.net	Yes
CWS Communities LP	WU839	Mmathisen@HometownAmerica.com	Yes
Cypress Lakes Utilities, Inc.	WS800	pcflyn@uiwater.com	Yes
Damon Utilities, Inc.	WS551	damonutilities@embarqmail.com	Yes
East Central Florida Services, Inc.	WU643	jpayne@ari-slc.com	Yes
Express Phone Service		tom@dei.gccoxmail.com	No
Farmton Water Resources LLC	WU859	mabfarmton@hughes.net	Yes
FIMC Hideaway, Inc.	WS652	jandrmcbride@cox.net	Yes
FL - CLEC LLC		michelle.salisbury@crowncastle.com	No
FLATEL, Inc.	TX164	AMatari@Flatel.net	No
Florida Power & Light Company (11b)		Ken.Hoffman@fpl.com	No
Florida Power & Light Company (Juno 11g)		Will.Cox@fpl.com	No
Florida Public Utilities Company		tgeoffroy@cfgas.com	No
Florida Public Utilities Company (11)		tgeoffroy@cfgas.com	No

**FLORIDA PUBLIC SERVICE COMMISSION
CASE MANAGEMENT SYSTEM
PARTICIPATING EMAIL ADDRESSES**

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
Forest Utilities, Inc.	SU293	forestu@aol.com	Yes
Fountain Lakes Sewer Corp.	SU572	maryjo.kelly@k-a-c.com	Yes
Four Lakes Golf Club, Ltd.	WS815	baltman@centurycompanies.net	Yes
Francis I Utility, L.L.C.	SU858	kasi@francisone.com	Yes
Gold Coast Utility Corp.	WS899	burkimwater@aol.com	Yes
Grenelefe Resort Utility, Inc.	WS770	bryon_smith@wgresorts.com	Yes
Gulf Power Company	EI804	sdriteno@southernco.com	No
Gunster Law Firm (10)		BKeating@gunster.com	No
Gunster Law Firm (10Keating)		BKeating@gunster.com	No
Gunster Law Firm (11Keating)		bkeating@gunster.com	No
Harbor Hills Utilities, L.P.	WU727	arich@harborhills.com	Yes
Hash Utilities, LLC	WU950	marshall@hash.com	Yes
Hidden Cove, Ltd.	WS814	baltman@centurycompanies.net	Yes
Holiday Gardens Utilities, Inc.	WU109	countrygirl@svs.net	Yes
HV Utility Systems, L.L.C.	SU866	ken_kroot@equitylifestyle.com	Yes
Indiantown Company, Inc.	WS120	maryannh@ittelecom.net	Yes
Joyland Water System	WU711	yarm4.1.1@netzero.net	Yes
K W Resort Utilities Corp.	SU336	chriskw@bellsouth.net	Yes
Keefe Law Firm (10a)		vkaufman@kagmlaw.com	No
L W V Utilities, Inc.	WU135	water@fastestserver.com	Yes
Labrador Utilities, Inc.	WS851	pcflyn@uiwater.com	Yes
Lake Placid Utilities, Inc.	WS709	pcflyn@uiwater.com	Yes
Lake Utility Services, Inc.	WS641	pcflyn@uiwater.com	Yes
Lake Utility Services, Inc.	WU553	pcflyn@uiwater.com	Yes
Lake Yale Treatment Associates, Inc.	WS823	Qty555@aol.com	Yes
Lighthouse Utilities Company, Inc.	WU533	luci@gtcom.net	Yes
Macfarlane Law Firm (11)		aw@macfar.com	No
Marion Utilities, Inc.	WS160	marionutl@aol.com	Yes
Mayor, City of Clermont		jwarren@clermontfl.org	Yes
Mayor, City of Eustis		eustiscm@eustis.org	Yes
Mayor, City of Fruitland Park		fruitlnd@atlantic.net	Yes
Mayor, City of Groveland		Richard.Smith@groveland-fl.gov	Yes
Mayor, City of Mascotte		felix.ramirez@cityofmascotte.com	Yes
Mayor, City of Mount Dora		citymgr@ci.mount-dora.fl.us	Yes
Mayor, Town of Montverde		mayor@mymontverde.com	Yes
McLeod Gardens Water Company	WU841	lauravgriffith@aol.com	Yes
Mid-County Services, Inc.	SU291	pcflyn@uiwater.com	Yes
Mountain Lake Corporation	WU791	BMARTIN@mountainlakecc.com	Yes
Neighborhood Utilities, Inc.	WU383	wlarryo@hotmail.com	Yes
Ni Florida, LLC	SU915	ewallace@niamerica.com	Yes
Ni Florida, LLC	WU920	ewallace@niamerica.com	Yes
North Beach Utilities, Inc.	WS926	nbutilities@bellsouth.net	Yes
North Peninsula Utilities Corporation	SU615	developershw@gmail.com	Yes
Northgate Properties, Inc.	WS172	rnorthgateprope@cfl.rr.com	Yes
Oak Springs, LLC	WU875	mvres1@msn.com	Yes
Office of Public Counsel (10d)		KELLY.JR@leg.state.fl.us	No
Office of Public Counsel (12b)		reilly.steve@leg.state.fl.us	No
Orange Blossom Utilities, Inc.	WS912	nancy.roach@ymail.com	Yes
Orange Lake	WS892	gmorse4@tampabay.rr.com	Yes
Orangedale Utilities, Inc.	WS935	hdwrhr@yahoo.com	Yes
Orangewood Lakes Services, Inc.	WS180	angela@floridacomunities.com	Yes
Palm Valley Utilities	WS832	sseyffart@hometownamerica.net	Yes
Park Water Company	WU776	parkwaterco@aol.com	Yes
Parkland Utilities, Inc.	WS189	PUI@bellsouth.net	Yes

**FLORIDA PUBLIC SERVICE COMMISSION
CASE MANAGEMENT SYSTEM
PARTICIPATING EMAIL ADDRESSES**

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
Peoples Gas System	GU608	Regdept@tecoenergy.com	No
Peoples Water Service Company of Florida, Inc.	WU671	sgillet@peopleswater.net	Yes
Pine Harbour Water Utilities, LLC	WU921	pineharbourwater@aol.com	Yes
Pine Island Cove Homeowners Association, Inc.	SU724	picoveha@comcast.net	Yes
Pinecrest Ranches, Inc.	WU779	ginger00317@msn.com	Yes
Placid Lakes Utilities, Inc.	WU193	pambrewer@embarqmail.com	Yes
Plantation Bay Utility Co.	WS479	dross@icihomes.com	Yes
Plantation Landings, Ltd.	WS813	baltman@centurycompanies.net	Yes
Pluris Wedgefield, Inc.	WS929	kpratt@pluriscompanies.com	Yes
Raintree Utilities, Inc.	WU663	fred@raintreeutilities.com	Yes
Regency Utilities, Inc.	WS919	mfriedman@rsbattorneys.com	Yes
Residential Water Systems, Inc.	WU370	charlie@alternativephone.com	Yes
Royal Utility Company	WS570	info@royalutility.com	Yes
S & L Utilities, Inc.	SU327	teresafletcher@cox.net	Yes
S. V. Utilities, Ltd.	WS812	baltman@centurycompanies.net	Yes
Sanlando Utilities Corporation	WS397	pcflyn@uiwater.com	Yes
Service Management Systems, Inc.	WS571	dennis@dbasile.com	Yes
Shangri-La by the Lake Utilities, Inc.	WS728	jaylaura6@msn.com	Yes
Silver Lake Utilities, Inc.	WS907	Joe.Collins@LykesRanch.com	Yes
Southlake Utilities, Inc.	WS638	wjdeaspa@bellsouth.net	Yes
St. John's River Club Utility Company, LLC	WS906	rachelwachs@aol.com	Yes
Stone & Gerken, P.A. (11)		lewis@stoneandgerken.com	No
Sun Communities Operating Limited Partnership	WS746	jhoekstra@suncommunities.com	Yes
Sun River Utilities, Inc.	WS922	oldbridge9@aol.com	Yes
Sunny Shores Water Co., Inc.	WS754	jdsswc@tampabay.rr.com	Yes
Sunrise Utilities, LLC	WU870	utilityconsultant@yahoo.com	Yes
Tampa Electric Company	EI806	Regdept@tecoenergy.com	No
TBBT Utility LLC	WS918	mooney1325@yahoo.com	Yes
Tierra Verde Utilities, Inc.	SU682	pcflyn@uiwater.com	Yes
Timberwood Utilities	WS896	davbolling@aol.com	Yes
TLP Water, Inc.	WU924	TLPWATERINC@GMAIL.COM	Yes
Town & Country Utility	SU904	cdesanti@kitsonpartners.com	Yes
Town & Country Utility	WU811	cdesanti@kitsonpartners.com	Yes
Tradewinds Utilities, Inc.	WS350	charlie@alternativephone.com	Yes
Tymer Creek Utilities, Incorporated	WS246	tymercreekutil@aol.com	Yes
Useppa Island Utility, Inc.	WS249	tfitz5@comcast.net	Yes
Utilities, Inc. of Eagle Ridge	SU749	pcflyn@uiwater.com	Yes
Utilities, Inc. of Florida	SU640	pcflyn@uiwater.com	Yes
Utilities, Inc. of Florida	SU661	pcflyn@uiwater.com	Yes
Utilities, Inc. of Florida	WS251	pcflyn@uiwater.com	Yes
Utilities, Inc. of Florida	WU372	pcflyn@uiwater.com	Yes
Utilities, Inc. of Florida	WU413	pcflyn@uiwater.com	Yes
Utilities, Inc. of Florida	WU443	pcflyn@uiwater.com	Yes
Utilities, Inc. of Florida	WU628	pcflyn@uiwater.com	Yes
Utilities, Inc. of Longwood	SU761	pcflyn@uiwater.com	Yes
Utilities, Inc. of Pennbrooke	WS861	pcflyn@uiwater.com	Yes
Utility Corporation of Florida, Inc.	SU916	lmschlabach@aol.com	Yes
W.B.B. Utilities, Inc.	WU639	bairport@comcast.net	Yes
Water Management Services, Inc.	WS236	gdb5@comcast.net	Yes
Water Oak Utility	WS755	jhoekstra@suncommunities.com	Yes
West Lakeland Wastewater, Inc.	SU836	utilityconsultant@yahoo.com	Yes
Windstream Utilities Company	WU385	dlouhy@embarqmail.com	Yes
Young Law Firm (10)		swright@yvlaw.net	No
Young Law Firm (11)		swright@yvlaw.net	No

**FLORIDA PUBLIC SERVICE COMMISSION
CASE MANAGEMENT SYSTEM
PARTICIPATING EMAIL ADDRESSES**

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
Zachary Taylor Camping and Lodge, Inc.	SU876	Info@FLRVResort.com	Yes

FLORIDA PUBLIC SERVICE COMMISSION

COMMISSION CONFERENCE AGENDA

CONFERENCE DATE AND TIME: Tuesday, January 24, 2012, 9:30 a.m.

LOCATION: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148

DATE ISSUED: January 12, 2012

NOTICE

Persons affected by Commission action on certain items on this agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at this conference. These items are designated by double asterisks (**) next to the agenda item number.

To participate informally, affected persons need only appear at the agenda conference and request the opportunity to address the Commission on an item listed on agenda. Informal participation is not permitted: (1) on dispositive motions and motions for reconsideration; (2) when a recommended order is taken up by the Commission; (3) in a rulemaking proceeding after the record has been closed; or (4) when the Commission considers a post-hearing recommendation on the merits of a case after the close of the record. The Commission allows informal participation at its discretion in certain types of cases (such as declaratory statements and interim rate orders) in which an order is issued based on a given set of facts without hearing.

See Rule 25-22.0021, F.A.C., concerning Agenda Conference participation and Rule 25-22.0022, F.A.C., concerning oral argument.

Agendas, staff recommendations, vote sheets, transcripts, and conference minutes are available from the PSC Web site, <http://www.floridapsc.com>, by selecting *Agenda & Hearings* and *Agenda Conferences of the FPSC*. By selecting the docket number, you can advance to the *Docket Details* page and the Document Index Listing for the particular docket. If you have any questions, contact the Office of Commission Clerk at (850) 413-6770 or e-mail the clerk at Clerk@psc.state.fl.us.

In accordance with the American with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1-800-955-8770 (Voice) or 1-800-955-8771 (TDD), Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

The Commission Conference has a live video broadcast the day of the conference, which is available from the PSC's Web site. Upon completion of the conference, the video will be available from the Web site by selecting *Agenda and Hearings* and *Audio and Video Event Coverage*.

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Agenda for
Commission Conference
January 24, 2012

ITEM NO.

CASE

1**

Consent Agenda

PAA

A) Request for Cancellation of Certificates of Authority to Provide Telecommunications Service.

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>	<u>CERT. NO.</u>	<u>EFFECTIVE DATE</u>
110318-TP	FL - CLEC LLC	8705	12/09/2011
	FL - CLEC LLC	8706	12/09/2011

Recommendation: The Commission should approve the action requested in the docket referenced above and close this docket.

ITEM NO.

CASE

2

Docket No. 110041-EI – Petition for approval of Amendment No. 1 to generation services agreement with Gulf Power Company, by Florida Public Utilities Company.

Critical Date(s): PPA Amendment is expressly conditioned upon the receipt of an approval order by March 31, 2012.

Commissioners Assigned: All Commissioners

Prehearing Officer: Brisé

Staff: GCL: Robinson

RAD: Graves, Ma

ECR: Draper, Lee, Lester

(Oral Argument Requested. Participation at the Commission's discretion.)

Issue 1: Should the Commission grant FPUC and City of Marianna's requests for oral argument?

Recommendation: Yes. The Commission should grant FPUC and the City of Marianna's requests for oral argument. Oral argument should be limited to 5 minutes per party.

Issue 2: Should FPUC's Motion to Dismiss the City of Marianna's petition for formal hearing be granted?

Recommendation: Yes. The Commission should grant FPUC's Motion to Dismiss the City of Marianna's petition for formal hearing without prejudice.

Issue 3: Should the docket be closed?

Recommendation: Yes. If the Commission agrees with staff regarding Issue 2, then the City of Marianna's Petition Protesting Proposed Agency Action Order No. PSC-11-0269-PAA-EI and Requesting Formal Proceeding should be dismissed without prejudice. The docket should be closed, and a Consummating Order should be issued reviving Order No. PSC-11-0269-PAA-EI and making it final and effective.

ITEM NO.

CASE

3**

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.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Balbis

Staff: GCL: Bennett

ECR: Draper, Lee

(Oral Argument Requested.)

Issue 1: Should the Commission grant the City of Marianna and FPUC's requests for oral argument?

Recommendation: Yes. The Commission should grant the requests for oral argument. Oral argument should be limited to 5 minutes per side.

Issue 2: Should FPUC's Motion to Dismiss the City of Marianna's petition for formal hearing be granted?

Recommendation: Yes. FPUC's Motion to Dismiss should be granted, with prejudice. The City has not pled facts sufficient to demonstrate that it has suffered an injury in fact or that the nature of these proceedings is designed to protect any injury the City has alleged. Moreover, the amended petition does not comply with Rule 28-106.201, F.A.C., because it does not contain "an explanation of how the petitioner's substantial interests will be affected by the agency determination," nor does it contain "a concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant a reversal or modification of the agency's proposed action." Proposed Agency Action Order, Order No. PSC-11-0112-TRF-EI should be deemed final and effective.

Issue 3: Should the docket be closed?

Recommendation: Yes. If the Commission agrees with staff regarding Issue 2, then the City of Marianna's Amended Petition Protesting Proposed Agency Action Order No. PSC-11-0112-TRF-EI should be dismissed with prejudice. Order No. PSC-11-0112-TRF-EI should become final and effective.

ITEM NO.

CASE

4**

Docket No. 110071-TP – Emergency Complaint of Express Phone Service, Inc. against Bellsouth Telecommunications, Inc. d/b/a AT&T Florida regarding interpretation of the parties' interconnection agreement.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Balbis

Staff: GCL: Tan

RAD: King

Issue 1: Should the Commission acknowledge Express Phone Service's December 27, 2011, Notice of Voluntary Dismissal without Prejudice?

Recommendation: Yes, the Commission should acknowledge Express Phone's December 27, 2011, Notice of Voluntary Dismissal without Prejudice.

Issue 2: Should this docket be closed?

Recommendation: Yes. If Issue 1 is approved, there is nothing further for the Commission to consider in this docket. Therefore, staff recommends that Docket No. 110071-TP be closed.

ITEM NO.

CASE

5**PAA

Docket No. 110272-EU – Joint petition for approval of a territorial agreement in Lake County between City of Leesburg, a Florida municipality and Sumter Electric Cooperative, Inc., a Florida Cooperative.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Brisé

Staff: GCL: Barrera

ECR: Rieger

Issue 1: Should the Commission approve the joint petition of a territorial agreement in Lake County between Leesburg and SECO?

Recommendation: Yes. The joint petition of a territorial agreement between Leesburg and SECO should be approved.

Issue 2: Should this docket be closed?

Recommendation: Yes. If no person whose substantial interests are affected files a protest to the Commission's proposed agency action order within 21 days, the docket may be closed upon issuance of a consummating order.

ITEM NO.

CASE

6**PAA

Docket No. 110305-EI – Initiation of formal proceedings of Complaint No. 1006767E of Edward McDonald against Tampa Electric Company, for alleged improper billing.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Balbis

Staff: GCL: Robinson

ECR: Draper

SRC: Forsman, Hicks

Issue 1: Should the Commission grant Mr. McDonald the relief sought in his petition?

Recommendation: No. Staff recommends that the Commission deny Mr. McDonald's petition as it does not demonstrate that (1) TECO's attempt to collect the \$915.94 violates any statutes, rules, or Orders; (2) TECO's calculation of the \$915.94 is incorrect; and (3) TECO is liable for the \$3,500 that the bank recalled because Mr. McDonald made the payments from his mother's account without proper authorization.

Issue 2: Should the docket be closed?

Recommendation: Yes. If no person whose substantial interests are affected files a protest to the Commission's proposed agency action order within 21 days, the docket should be closed upon issuance of a consummating order.

ITEM NO.

CASE

7

Docket No. 110306-TP – Request for emergency relief and complaint of FLATEL, Inc. against BellSouth Telecommunications, Inc. d/b/a AT&T Florida to resolve interconnection agreement dispute.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Balbis

Staff: GCL: Robinson

RAD: Hawkins, Lowery

(Oral Argument not Requested. Participation at Commission's Discretion.)

Issue 1: Should the Commission grant AT&T Florida's Motion to Dismiss?

Recommendation: Yes. Staff recommends that the Commission grant AT&T Florida's dismissal motion, as the Commission lacks authority to grant an injunction, and further, FLATEL's petition is moot.

Issue 2: Should the docket be closed?

Recommendation: Yes. If the Commission agrees with staff's recommendation for issue 1, then FLATEL's petition should be dismissed without prejudice and the docket should be closed.

ITEM NO.

CASE

8**

Docket No. 110312-EQ – Petition for approval of renewable energy tariff and standard offer contract, by Florida Power & Light Company.

Critical Date(s): 01/26/12 (60-Day Suspension Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: RAD: Garl, Brown

ECR: A. Roberts

GCL: Robinson

Issue 1: Should the Commission suspend the revised renewable energy tariff filed by FPL?

Recommendation: Yes. The Commission should suspend the revised renewable energy tariff filed by FPL.

Issue 2: Should this docket be closed?

Recommendation: No. If the Commission approves Issue 1, this docket should remain open to allow staff adequate time to review the petition and make a recommendation to the Commission on the merits of the petition.

ITEM NO.

CASE

9**PAA

Docket No. 110207-EI – 2011 depreciation study by Florida Public Utilities Company.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Brown

Staff: ECR: L'Amoreaux, Wu, Cicchetti

GCL: Brown

Issue 1: Should the current depreciation rates for Florida Public Utilities Company be changed?

Recommendation: Yes. A review of the Company's plans and activities indicates a need for a revision to the currently prescribed depreciation rates.

Issue 2: What should be the implementation date for revised depreciation rates?

Recommendation: Staff recommends approval of the Company's proposed January 1, 2012, date of implementation for revised depreciation rates.

Issue 3: What are the appropriate depreciation rates?

Recommendation: The recommended lives, net salvages, reserves, resultant depreciation rates, and recovery schedules are shown on Attachment A of staff's memorandum dated January 11, 2012. The result is a decrease in annual depreciation expense of approximately \$227,343, based on the estimated January 1, 2012, investment shown on Attachment B of staff's memorandum dated January 11, 2012.

Issue 4: Should the Commission make any corrective reserve allocations between accounts?

Recommendation: Yes. Staff recommends the reserve allocations shown in Table 4-1 of staff's memorandum dated January 11, 2012. These allocations bring these accounts more in line with their theoretically correct reserve levels.

Issue 5: Should the current amortization of investment tax credits (ITCs) and flow back of excess deferred income taxes (EDITs) be revised to reflect the approved depreciation rates?

Recommendation: Yes. The current amortization of ITCs and the flowback of EDITs should be revised to match the actual recovery periods for the related property. The Company should file detailed calculations of the revised ITC amortization and flowback of EDITs at the same time it files its surveillance report covering the period ending December 31, 2011.

Issue 6: Should this docket be closed?

Recommendation: Yes. If no person whose substantial interests are affected by the Commission's Proposed Agency Action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

ITEM NO.

CASE

10**

Docket No. 110320-GU – Petition for approval of Cast Iron/Bare Steel Pipe Replacement Rider (Rider CI/BSR), by Peoples Gas System.

Critical Date(s): 02/14/12 (60-Day Suspension Date)
08/14/12 (8-Month Effective Date)

Commissioners Assigned: All Commissioners
Prehearing Officer: Administrative

Staff: ECR: Kummer, Higgins, Mouring, Slemkewicz, Trueblood
GCL: Brown
SRC: Black, Moses

Issue 1: Should PGS's petition for approval of a Cast Iron/Bare Steel Pipe Replacement Rider be suspended?

Recommendation: Yes.

Issue 2: Should this docket be closed?

Recommendation: No. The docket should remain open to allow further review and a subsequent recommendation on final action by the Commission.

ITEM NO.

CASE

11**PAA

Docket No. 120005-WS – Annual reestablishment of price increase or decrease index of major categories of operating costs incurred by water and wastewater utilities pursuant to Section 367.081(4)(a), F.S.

Critical Date(s): March 31, 2012 - Statutory Reestablishment Deadline

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECR: Fletcher, Maurey

GCL: Klancke

Issue 1: Which index should be used to determine price level adjustments?

Recommendation: The Gross Domestic Product Implicit Price Deflator Index is recommended for use in calculating price level adjustments. Staff recommends calculating the 2012 price index by using a fiscal year, four quarter comparison of the Implicit Price Deflator Index ending with the third quarter 2011.

Issue 2: What rate should be used by water and wastewater utilities for the 2012 Price Index?

Recommendation: The 2012 Price Index for water and wastewater utilities should be 2.41 percent.

Issue 3: How should the utilities be informed of the indexing requirements?

Recommendation: Pursuant to Rule 25-30.420(1), F.A.C., the Office of Commission Clerk, after the expiration of the Proposed Agency Action (PAA) protest period, should mail each regulated water and wastewater utility a copy of the PAA order establishing the index containing the information presented in Form PSC/ECR 15 (4/99) and Appendix A (Attachment 1 of staff's memorandum dated January 11, 2012). A cover letter from the Director of the Division of Economic Regulation should be included with the mailing of the order (Attachment 2 of staff's memorandum dated January 11, 2012). If a protest is filed and a hearing is held, the Office of Commission Clerk should mail each regulated water and wastewater utility a copy of the final order establishing the index which should contain the information presented in Form PSC/ECR 15 (4/99) and Appendix A (Attachment 1 of staff's memorandum dated January 11, 2012). A cover letter from the Director of the Division of Economic Regulation should be included with the mailing of the order (Attachment 2 of staff's memorandum dated January 11, 2012).

Issue 4: Should this docket be closed?

Recommendation: Yes, this docket should be closed upon the issuance of the Consummating Order if no substantially affected person files a timely protest within the 14-day protest period after issuance of the PAA Order. Any party filing a protest should be required to prefile testimony with the protest.

110306-7P

FLORIDA PUBLIC SERVICE COMMISSION
CASE MANAGEMENT SYSTEM
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 110306

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
AT&T Florida	TL720	greg.follensbee@att.com	No
FLATEL, Inc.	TX164	AMatari@Flatel.net	No

FAXED - 0
MAILED - 0
EMAILED - 2

FPSC, CLK CORRESPONDENCE
 Administrative Parties Consumer
DOCUMENT NO. 08323-11
DISTRIBUTION:

Commission Clerk

Subject: FPSC E-service of Document NO. 00201-12 in Docket 110306-TP (Email ID = 084701)

The document described below has been issued by the Florida Public Service Commission and filed with the Office of Commission Clerk. As a party of record at the time of issuance or, if applicable, an interested person, you are being provided this information electronically.

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DOCUMENT NO.	DESCRIPTION
00201-12 (8 pgs.)	RECOM for 01/24/12 Commission conference, Item __, from GCL and RAD staff.

Matilda Sanders

PSC-12-0019-CFO-TP

110306-TP

From: Diamond Williams
Sent: Friday, January 06, 2012 8:37 AM
To: CLK - Orders / Notices; Pauline Robinson
Subject: Order / Notice Submitted

RECEIVED-FPSC
12 JAN -6 AM 9:11

Date and Time: 1/6/2012 8:31:00 AM
Docket Number: 110306-TP
Filename / Path: 110306.conf.ord.grant.at&t.08640-11 & 08903-11.per.doc
Order Type: Signed / Hand Deliver

COMMISSION
CLERK

ORDER GRANTING BELLSOUTH TELECOMMUNICATIONS, INC., D/B/A AT&T FLORIDA'S REQUEST FOR SPECIFIED CONFIDENTIAL CLASSIFICATION OF DOCUMENT NO. 08640-11 (CROSS REFERENCE DOCUMENT NO. 08903-11)

Commissioner Signed.

Thank you,

Diamond Williams
Deputy Clerk II
Office of General Counsel
Florida Public Service Commission
Email: diwillia@psc.state.fl.us
Phone: 850-413-6094

FAXED - - 0
MAILED - 0
EMAILED - 2

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FPSC, CLK CORRESPONDENCE		
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DOCUMENT NO.		08323-11
DISTRIBUTION: _____		

**FLORIDA PUBLIC SERVICE COMMISSION
CASE MANAGEMENT SYSTEM
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 110306**

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
AT&T Florida	TL720	greg.follensbee@att.com	No
FLATEL, Inc.	TX164	AMatari@Flatel.net	No

Commission Clerk

Subject: FPSC E-service of Document NO. 00123-12 in Docket 110306-TP (Email ID = 904714)

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DOCUMENT NO.	DESCRIPTION
00123-12 (4 pgs.)	Order PSC-12-0019-CFO-TP granting AT&T Florida's request for specified confidential classification of DN 08640-11 (x-ref. DN 08903-11) for 18 months from date of issuance of order.

Matilda Sanders

PSC-11-0578-PCO-TP

110306-TP

From: Diamond Williams
Sent: Friday, December 16, 2011 1:27 PM
To: CLK - Orders / Notices; Pauline Robinson
Subject: Order / Notice Submitted

Date and Time: 12/16/2011 1:25:00 PM
Docket Number: 110306-TP
Filename / Path: 110306.ORD.grant.extent.time.per.doc
Order Type: Signed / Hand Deliver

RECEIVED-FPSC
11 DEC 16 PM 1:59
COMMISSIONER
CLERK

ORDER GRANTING REQUEST FOR EXTENSION OF TIME.

Signed by Commissioner Balbis

Thank you,

Diamond Williams
Deputy Clerk II
Office of General Counsel
Florida Public Service Commission
Email: diwillia@psc.state.fl.us
Phone: 850-413-6094

FAXED - 0
MAILED - 0
EMAILED - 2

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**FLORIDA PUBLIC SERVICE COMMISSION
CASE MANAGEMENT SYSTEM
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 110306**

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
AT&T Florida	TL720	greg.follensbee@att.com	No
FLATEL, Inc.	TX164	AMatari@Flatel.net	No

Commission Clerk

Subject: FPSC E-service of Document NO. 08999-11 in Docket 110306-TP (Email ID = 883376)

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DOCUMENT NO.	DESCRIPTION
<u>08999-11 (2 pgs.)</u>	Order PSC-11-0578-PCO-TP granting FLATEL's request for extension of time to file opposition to AT&T's dismissal motion; FLATEL to file opposition within 5 days from the date of this order.

COMMISSIONERS:
ART GRAHAM, CHAIRMAN
LISA POLAK EDGAR
RONALD A. BRISÉ
EDUARDO E. BALBIS
JULIE I. BROWN

STATE OF FLORIDA



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

Public Service Commission

November 10, 2011

ADMINISTRATIVE

Abby Matari, CEO
FLATEL, Inc.
2300 Palm Beach Lakes Blvd.
Executive Center, Suite 100
West Palm Beach, Florida 33409

Re: Docket No. 110306-TP

Dear Ms. Matari:

This will acknowledge receipt of the request for emergency relief and complaint of FLATEL, Inc. against BellSouth Telecommunications, Inc. d/b/a AT&T Florida to resolve interconnection agreement dispute, which was filed in this office on November 7, 2011, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6199.

Office of Commission Clerk

DOCUMENT NUMBER TAG

08323 NOV 10 =

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