STATE OF FLORIDA

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

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

Aublic Service Commission

May 2, 2013

Thomas D. Hall, Clerk Florida Supreme Court 500 South Duval Street Tallahassee, Florida 32399

Re: Edward McDonald vs. Florida Public Service Commission - Supreme Court Case No. SC13-160, FPSC Docket No. 110305-EI

Dear Mr. Hall:

Enclosed is the amended index and the Record on Appeal in the above-referenced case. The Record on Appeal consists of two volumes which is being forwarded for filing in the Florida Supreme Court. Please initial and date the copy of this letter to indicate receipt.

If you have any questions regarding this Record on Appeal, please feel free to contact me.

Sincerely,

Ann Cole

Commission Clerk

AC: mhm Enclosure

cc: Mr. Edward McDonald Samantha Cibula, Office of the General Counsel Pamela H. Page, Office of the General Counsel James D. Beasley, Esquire J. Jeffry Wahlen, Esquire Ms. Paula K. Brown

AMENDED INDEX (BY DATE)

PSC DOCKET NO. 110305-EI

Volume 1

Date		Pages
	Progress Docket	1-5
11/04/11	Edward McDonald's petition for initiation of formal proceedings of Complaint No. 1006767E against Tampa Electric Company ("TECO")	6-11
11/04/11	Notice of complaint to Paula K. Brown, TECO, from Ann Cole, Florida Public Service Commission's ("Commission") Office of Commission Clerk ("Commission Clerk")	12
11/21/11	TECO's answer to petition filed by Edward McDonald	13-25
12/05/11	Petitioner's reply to respondent's answer, filed on behalf of Edward McDonald	26
12/05/11	Edward McDonald's complaint stating appended bill is inaccurate	27-36
12/15/11	Letter dated December 15, 2011, from James D. Beasley, TECO, to Pauline Robinson, Commission's Office of the General Counsel, confirming receipt and responding to petitioner's reply to respondent's settlement offer and mutual release	37
12/15/11	Petitioner's reply to respondent's settlement offer and mutual release, with attached settlement agreement and mutual release, filed on behalf of Edward McDonald	38-48
01/11/12	Memorandum dated January 11, 2012, from Commission's Office of the General Counsel, Division of Economic Regulation, and Division of Safety, Reliability & Consumer Assistance to Commission Clerk for January 24, 2012, Commission Conference	49-60
01/24/12	Commission vote sheet for Item 6 of January 24, 2012, Commission Conference	61-62
01/24/12	Petitioner's response to Commission staff recommendations, filed on behalf of Edward McDonald	63-85
01/27/12	Transcript of discussion of Item 6 of January 24, 2012, Commission	86-88

89-94	PAA Order PSC-12-0053-PAA-EI denying Edward McDonald's request for relief against TECO	02/07/12
95-98	Memorandum dated March 1, 2012, from Pauline Robinson, Commission's Office of the General Counsel, to Ann Cole, Commission Clerk, with attached petition from Edward McDonald for docket file	03/01/12
99-102	TECO's motion to dismiss petition submitted by Edward McDonald	03/06/12
103-105	Edward McDonald's response to TECO's motion to dismiss petition	03/26/12
106-112	Memorandum dated May 10, 2012, from Commission's Office of the General Counsel, Division of Economic Regulation, and Division of Safety, Reliability & Consumer Assistance to Commission Clerk for May 22, 2012, Commission Conference	05/10/12
113	Commission vote sheet for Item 4 of May 22, 2012, Commission Conference	05/22/12
114-119	Order PSC-12-0252-FOF-EI granting TECO's motion to dismiss without prejudice	05/23/12
120-122	Transcript of discussion of Item 4 of May 22, 2012, Commission Conference	05/24/12
123-127	Memorandum dated May 25, 2012, from Pauline Robinson, Commission's Office of the General Counsel, to Ann Cole, Commission Clerk, with attachment for docket file	05/25/12
128-142	Edward McDonald's amended petition regarding billing dispute	06/12/12
143-146	TECO's motion to dismiss amended petition with prejudice	06/14/12
147-149	Order PSC-12-0309-PCO-EI denying Edward McDonald's motion for continuance and discovery	06/18/12
150-155	Memorandum dated September 6, 2012, from Commission's Office of the General Counsel, Office of Consumer Assistance and Outreach, and Division of Economics to Commission Clerk for September 18, 2012, Commission Conference	09/06/12
156-161	Edward McDonald's copy of complaint regarding billing and Compliance issues to TECO and certified mail receipt	09/11/12

09/13/12	Memorandum dated September 13, 2012, from Pauline Robinson, Commission's Office of the General Counsel, to Ann Cole, Commission Clerk, with attachment for docket file	162-166
09/14/12	Edward McDonald's motion for continuance	167-170
09/17/12	Edward McDonald's renewed motion for continuance with attached motion for summary judgment	171-176
09/18/12	Commission vote sheet for Item 3 of September 18, 2012, Commission Conference	177-178
09/18/12	Order PSC-12-0478-PCO-EI denying Edward McDonald's motion for continuance	179-181
09/21/12	Order PSC-12-0485-FOF-EI granting TECO's motion to dismiss complaint with prejudice	182-186
09/24/12	Consummating Order PSC-12-0489-CO-EI	187-188
09/24/12	Letter dated September 24, 2012, from James D. Beasley, TECO, to Ann Cole, Commission Clerk, advising TECO will not be filing responses to Edward McDonald's renewed motion for continuance and motion for summary judgment and any other pleadings that may be filed regarding matters addressed in his complaint	189
09/27/12	Transcript of discussion of Item 3 of September 18, 2012, Commission Conference	190-192
09/27/12	Edward McDonald's copy of complaint regarding billing and compliance issues to TECO and certified mail receipt with typed note dated September 21, 2012, affixed to complaint, requesting a complaint number be assigned	193-194
Volume 2	<u>2</u>	
10/08/12	Edward McDonald's motion for reconsideration and motion for stay regarding fraud	195-208
10/11/12	TECO's response to petitioner's motion for reconsideration and motion for stay	209-211
10/16/12	Edward McDonald's complaint regarding discontinuance and interruption of service by TECO	212-219

10/17/12	Edward McDonald's motion to strike TECO's response to petitioner's motion for reconsideration and motion for stay	220-222
10/22/12	Letter dated October 22, 2012, from James D. Beasley, TECO, to Ann Cole, Commission Clerk, providing response to Edward McDonald's document entitled "a complaint" dated October 12, 2012	223
10/30/12	Edward McDonald's reply to October 22, 2012, response by TECO to October 12, 2012, complaint	224-233
11/07/12	Letter dated November 7, 2012, from James D. Beasley, TECO, to Pauline Robinson, Commission's Office of the General Counsel, regarding communications from Edward McDonald to TECO regarding amounts he owes for electric service	234
11/07/12	TECO's response to Edward McDonald's October 30, 2012, filing	235-237
11/13/12	Memorandum dated November 13, 2012, from Pauline Robinson, Commission's Office of the General Counsel, to Ann Cole, Commission Clerk, with attachment for docket file	238-240
11/29/12	Edward McDonald's notice of filing complaint with attached documents	241-256
11/29/12	Memorandum dated November 29, 2012, from Commission's Office of the General Counsel, Office of Consumer Assistance and Outreach, and Division of Economics to Commission Clerk for December 10, 2012, Commission Conference	257-264
12/07/12	Edward McDonald's motion to strike recommendation of the Commission's General Counsel, filed November 29, 2012, and responses of respondent for failure to comply with rules	265-270
12/10/12	Commission vote sheet for Item 7 of December 10, 2012, Commission Conference	271-272
12/13/12	Edward McDonald's motion for stay pending judicial review of decision rendered on December 10, 2012, denying movant's request for reconsideration	273-274
12/13/12	Memorandum dated December 13, 2012, from Pauline Robinson, Commission's Office of the General Counsel, to Ann Cole, Commission Clerk, with attachment for docket file	275-278
12/13/12	Transcript of discussion of Item 7 of December 10, 2012, Commission Conference	279-283

12/14/12	TECO's response to Edward McDonald's motion for stay pending judicial review	284-286
12/17/12	Edward McDonald's complaint regarding interruption of service on December 10, 2012	287-292
12/21/12	Edward McDonald's amended motion for stay pending judicial review of decision denying movant's request for reconsideration	293
12/31/12	Order PSC-12-0668-FOF-EI denying Edward McDonald's motion for reconsideration, motion to stay proceeding, and motion to strike and dismissing complaint, regarding interruption of services, with prejudice	294-299
01/30/13	Edward McDonald's notice of appeal and motion for leave to proceed in forma pauperis as filed with the Florida Supreme Court	300-306
01/30/13	Letter dated January 30, 2013, from Ann Cole, Commission Clerk, to Thomas D. Hall, Florida Supreme Court, forwarding certified copy of Edward McDonald's notice of appeal and attachment	307-314
02/14/13	Florida Supreme Court acknowledgment of new case, Case Number SC13-160, and Order requesting filing fee or an order of insolvency to be filed by 3/14/13	315-316
02/21/13	Memorandum dated February 21, 2013, from Commission's Office of the General Counsel, Office of Consumer Assistance and Outreach, and Division of Economics to the Office of Commission Clerk providing staff recommendation for March 5, 2013, regular Commission conference	317-323
03/04/13	Edward McDonald's notice of violation of federal law, United States Bankruptcy Code, with attached notice of Chapter 7 bankruptcy case, meeting of creditors, and deadlines, as filed in United States Bankruptcy Court, Middle District of Florida, Case No. 8:13-bk-01478-MGW; and copy of February 11, 2013 electric bill from TECO	324-327
03/05/13	Commission vote sheet for Item 3 of March 5, 2013, Commission Conference	328
03/06/13	Edward McDonald's motion for order of insolvency	329-336
03/08/13	Transcript of discussion of Item 3 of March 5, 2013, Commission Conference	337-339
03/11/13	Commission's certificate of indigency of Edward McDonald	340

03/13/13	Edward McDonald's directions to Clerk of Commission	341-347
03/20/13	Order PSC-13-0136-FOF-EI denying Edward McDonald's amended motion for stay pending judicial review	348-352
03/21/13	Letter dated March 21, 2013, from Ann Cole, Commission Clerk, to Edward McDonald forwarding index to record on appeal and advising the record will be filed in the Florida Supreme Court on or before May 20, 2013	353-359