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COMMISSION  
CLERK

August 2, 2013

**Via Hand-Delivery**

Ann Cole, Director  
Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: *In re: Complaint regarding electric rate structure of Gainesville Regional Utilities*, Docket No.: 130188-EM

Dear Ms. Cole:

Enclosed for filing are the original and seven (7) copies of the City of Gainesville d/b/a Gainesville Regional Utilities' Motion to Dismiss the complaint in the matter referenced above.

Please acknowledge receipt of this filing by stamping the extra copy of this letter "filed" and returning the copy to me. Thank you for your assistance.

Sincerely,

HOLLAND & KNIGHT LLP

  
D. Bruce May, Jr.

DBM:kjg  
Enclosure

- COM \_\_\_\_\_
- AFD \_\_\_\_\_
- APA \_\_\_\_\_
- ECO \_\_\_\_\_
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- GCL 5
- IDM \_\_\_\_\_
- TEL \_\_\_\_\_
- CLK \_\_\_\_\_

cc: Nathan A. Skop, Esq. (w/encl.)  
Jennifer Crawford, Esq. (w/encl.)  
Martha Barrera, Esq. (w/encl.)  
Shayla L. McNeill, Esq. (w/encl.)

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Complaint regarding electric rate  
structure of Gainesville Regional Utilities

DOCKET NO.: 130188-EM

DATE: August 2, 2013

**GAINESVILLE REGIONAL UTILITIES' MOTION TO DISMISS**

The City of Gainesville d/b/a Gainesville Regional Utilities ("GRU"), pursuant to Rule 28-106.204(2), Florida Administrative Code, moves to dismiss the Petition filed by Eye Associates of Gainesville, LLC and Deborah L. Martinez ("Petitioners") on July 16, 2013, which challenges the rates that GRU charges its customers, and which asks the Florida Public Service Commission ("PSC") to conduct an expedited formal evidentiary hearing to investigate GRU's wholesale and retail rate structures.

**Summary**

The complaints in the Petition that challenge GRU's rates should be dismissed with prejudice because the PSC has no authority to regulate the specific dollar amounts that GRU charges its customers for electric service. The complaints in the Petition that challenge GRU's wholesale rate structure should be dismissed with prejudice because the PSC does not have jurisdiction to regulate GRU's wholesale rate structure, nor does it have jurisdiction to regulate GRU's wholesale power agreements. The complaints in the Petition that challenge the proposed two-tiered retail rate structure should be dismissed because the City of Gainesville Commission ("City Commission") voted on July 25, 2013 not to adopt that proposed two-tiered rate structure. Instead, the City Commission voted to retain GRU's previously enacted three-tiered energy rate structure and authorized the City Attorney to draft an ordinance to that effect. That ordinance, if adopted, would continue GRU's current three-tiered rate structure for at least the next fiscal year and would render Petitioners' complaints about the proposed two-tiered rate structure moot. The

complaints in the Petition that challenge GRU's three-tiered retail rate structure should be dismissed as premature because the municipal ordinances related to the rate structure and the revenue requirement are still being developed and have not been finally adopted. In further support of its motion to dismiss, GRU states:

### **Background**

1. GRU is a vertically integrated electric power production, transmission, and distribution system that is wholly owned by the City of Gainesville. GRU's distribution system serves approximately 93,000 retail customers in both the incorporated and unincorporated areas of its service territory. GRU also provides wholesale electric service to the City of Alachua pursuant to the terms of a wholesale power contract that has been in place since 1988, and which was renewed on January 1, 2011 for a term of ten years.

2. By special act, the Florida legislature expressly granted the City of Gainesville d/b/a GRU the authority to provide and sell electricity and other public utility services to any customer within or outside the city limits. Ch. 90-394, § 1 at 23, Laws of Fla. In addition, the legislature has expressly authorized the City of Gainesville d/b/a GRU to "establish, impose and enforce, by ordinance, the rates to be charged for . . . electric . . . and all other public utilities or other services." *Id.* at 24. In implementing this authority, the City of Gainesville's Charter requires that the GRU General Manager submit to the City Commission a yearly budget for the operation of the utility system. As part of that process, the City Commission holds public budget hearings each year to examine GRU's rates.

3. This year the City Commission conducted public budget hearings on July 16, July 22, and July 25, 2013, to closely review and consider GRU's rates and its rate structure. All of these hearings were heavily attended by the public, and all public attendees were provided multiple opportunities to comment. During the course of those public budget hearings, the



Petitioner, Ms. Deborah L. Martinez, and her counsel, Mr. Nathan Skop, both commented extensively on GRU's revenue requirement, its rates, and its rate structure.

4. At the conclusion of those public budget hearings and after extensive discussion relating to the Baker Tilly cost of service study referenced in the Petition, the City Commission on July 25, 2013, voted to maintain GRU's current three-tiered rate structure that has been in effect for the last six years. The City Commission also tentatively approved a revenue requirement that will be noticed and published in accordance with law. Two additional public hearings are scheduled for September 9 and September 19, 2013, at which time the City Commission will take additional public comment and then consider for approval and adoption the budget resolutions and rate ordinances based on the rate structure and revenue requirement tentatively approved by the City Commission on July 25, 2013.

5. On July 16, 2013, before the City Commission had concluded its public budget hearings on GRU's rates and before the City Commission's July 25 vote on GRU's rate structure and revenue requirement, Petitioners filed their Petition<sup>1</sup> in which they allege that GRU has "significantly overcharged its customers" for electric services, and in which they ask the PSC to conduct an expedited formal evidentiary hearing to address whether GRU's wholesale and retail electric rate structure is fair, just and reasonable and non-discriminatory. Petition at ¶¶ 6, 7. The Petition specifically disputes a proposal in the Baker Tilley cost-of-service study to convert GRU's current three-tiered energy rate structure to a two-tiered rate structure. Petition at ¶ 13

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<sup>1</sup> The PSC has classified the Petition as a complaint. GRU remains, as it has been through the extensive process of deliberation and debate at the local level, willing to engage in a dialogue with Petitioners to address their concerns to the extent they can be resolved. GRU will also file and send to counsel for Petitioners a separate response to explain the ongoing local deliberative process in which Petitioners are welcome to continue participating. GRU notes that at least one of the Petitioners and their counsel have consistently and substantially participated in numerous public sessions where these precise issues have been debated, deliberated, and voted upon by the City Commission after consideration of public comment. Whether the issues raised by the Petitioners in their Petition can be resolved by ongoing dialogue with Petitioners or not, GRU believes that the Petition is nonetheless subject to dismissal for the reasons described in this Motion, and because it involves "issues or concerns that fall outside of the jurisdiction of the [PSC]." Rule 25-22.032(7)(c)1., Fla. Admin. Code.

and footnote 5. The Petition also challenges the reasonableness of GRU's wholesale power sales agreement with the City of Alachua, and GRU's wholesale power purchase agreement with Gainesville Renewable Energy Center ("GREC"). Petition at footnotes 2, 3 and 4, and ¶¶ 6, 13. As explained in more detail below, the Petition should be dismissed because it would require the PSC to intercede into municipal electric utility areas that are far beyond the scope of the agency's regulatory jurisdiction.

### **The PSC's Jurisdiction over Municipal Electric Utilities is Limited**

6. As a municipally-owned electric utility which owns generation and transmission facilities in Florida, GRU is an "electric utility" as defined in section 366.02(2), Florida Statutes, and is specifically excluded from the definition of "public utility" in section 366.02(1), Florida Statutes.<sup>2</sup> By its express provisions, section 366.11, Florida Statutes, exempts a municipally-owned electric utility like GRU from the full panoply of PSC rate and service regulation, vesting the PSC only with the carefully circumscribed authority set forth in the specified referenced sections, including section 366.04(2), Florida Statutes.

7. The Petition seeks to invoke the PSC's limited jurisdiction over electric utilities pursuant to section 366.04(2)(b), Florida Statutes, which provides:

(2) In the exercise of its jurisdiction, the [PSC] shall have power over electric utilities for the following purposes:

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(b) To prescribe a rate structure for all electric utilities.

8. The PSC's limited jurisdiction over a municipal electric utility's "rate structure" pursuant to section 366.04(2)(b) is far different than its more expansive jurisdiction under section 366.06(1) to "determine and fix fair, just and reasonable rates" for public utilities. In *City of*

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<sup>2</sup> Section 366.02(1), Florida Statutes, provides, in pertinent part, that "the term 'public utility' does not include ... a municipality or any agency thereof...."

*Tallahassee v. Mann*, 411 So. 2d 162 (Fla. 1981), the Supreme Court described the difference as follows:

There is a clear distinction between “rates” and “rate structure” though the two concepts are related. “Rates” refers to the dollar amount charged for a particular service or an established amount of consumption. “Rate structure” refers to the classification system used in justifying different rates.

*Id.* at 163. The Court went on to hold that a municipal electric utility’s rates are not to be set by the PSC but rather by the city commission which

is charged with the duty of setting reasonable rates. The Public Service Commission has no authority over those rates. If the rates are unreasonable, the ratepayers have recourse to the city commission.

*Id.*

9. The limits of the PSC’s rate structure jurisdiction over electric utilities were further defined in *Lewis v. Florida Public Service Commission*, 463 So. 2d 227 (Fla. 1985) where the Supreme Court confirmed that the PSC’s “jurisdiction over rate structure, however, does not include jurisdiction over actual rates charged by a municipal electric utility.” *Id.* at 229; *see also Polk County v. Fla. Pub. Serv. Comm’n.*, 460 So. 2d 370, 372 (Fla. 1984) (stating that the PSC “has no authority to regulate specific dollar amounts charged for a specific service.”); *Amerson v. Jacksonville Elec. Auth.*, 362 So. 2d 433, 434 (Fla. 1<sup>st</sup> DCA 1978) (recognizing that “municipally-owned utilities are excluded from PSC rate change jurisdiction.”).

10. The Florida Supreme Court also has cautioned that the PSC’s rate structure jurisdiction under section 366.04(2)(b) is limited to the retail rate structure of electric utilities, and does not authorize the PSC to regulate in any way an electric utility’s wholesale rate structure or wholesale power contracts that may impact the electric utility’s wholesale rate structure. *See Lee County Elec. Coop., Inc. v. Jacobs*, 820 So. 2d 297, 300-301 (Fla. 2002).



11. In exercising its jurisdiction over the retail rate structures of electric utilities, the PSC has adopted rules that specifically govern how it is to review municipal electric utility rate structures. *See* Rules 25-9.050-056, Fla. Admin. Code. In particular, a municipal electric utility is required to submit any proposed changes in its rate structure “at least 30 days prior to final adoption by the utility.” Rule 25-9.052(2), Fla. Admin. Code. The PSC reviews the submission and may provide a comment letter requesting “data or explanation of the basis for any change in the utility’s rate structure.” *Id.* After the municipal electric utility reviews the PSC’s comments and adopts a final rate structure, it is required to “submit the adopted rate structure to the [PSC], along with any response to the [PSC’s] comment letter.” Rule 25-9.052(3), Fla. Admin. Code. Following this detailed process, and “in the event that the [PSC] determines that the rate structure may not be fair, just and reasonable,” Rule 25-9.052(4) expressly provides a mechanism for the PSC to initiate appropriate proceedings to address such concerns.

12. GRU has and will continue to comply with the regulatory requirements described above. GRU has filed appropriate documentation for its prior rate structure modifications without challenge by Petitioners. GRU has not yet filed documentation regarding this year’s rate structure because, as explained above, the ordinance which will implement the rate structure (and which is currently contemplated to be a continuation of GRU’s longstanding existing rate structure) is still being developed for approval and adoption. GRU anticipates that the rate structure which has received tentative City approval will be submitted to the PSC at least thirty (30) days prior to October 1, 2013, which is the anticipated effective date of the ordinance.<sup>3</sup>

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<sup>3</sup> As a matter of practice, GRU actually provides the PSC with more information than is required by the referenced rules. Whenever GRU changes its rate schedules to reflect an increase in the level of its rates it submits those modified rate schedules to the PSC for informational purposes even if there is no change in the rate structure, and even though the level of GRU’s rates is beyond the PSC’s jurisdiction.

### **Petitioners' Challenge to GRU's Rates is Beyond the PSC's Jurisdiction**

13. The Petition is primarily comprised of a series of complaints about the level of GRU's rates -- an area that falls well outside the PSC's jurisdiction over municipal electric utilities like GRU. For example, paragraph 6 of the Petition complains that "GRU electric rates are among the highest in the State of Florida." Footnotes 2 and 4 likewise complain that GRU's electric rates are substantially higher than the rates that the City of Alachua charges its customers. And, paragraph 7 complains that GRU has "significantly overcharged its customers for fuel in violation of its own unwritten internal policies and a City Ordinance in order to hide the true impact of the GREC contract."

14. It is settled that the PSC's rate structure jurisdiction over electric utilities "does not include jurisdiction over actual rates charged by a municipal utility." *Lewis v. Fla. Pub. Serv. Comm'n.*, 463 So. 2d at 229. In fact, the Florida Supreme Court has made it clear that the PSC "has no authority to regulate specific dollar amounts charged [by a municipal electric utility] for a specific service." *Polk County v. Fla. Pub. Serv. Comm'n.*, 460 So. 2d at 372 (emphasis added). Moreover, the setting of a municipal electric utility's rates is a regulatory function of the municipality, not the PSC:

In Florida, it is a well recognized principle of law that rate-setting for municipal utilities is a legislative function to be performed by legislative bodies like local municipal governments and the commissions to which these bodies delegate such authority *Cooksey v. Utilities Comm'n.*, 261 So. 2d 129 (Fla. 1972); *Cooper v. Tampa Electric Co.*, [154 Fla. 410, 17 So. 2d 785 (1944)]; *Southern Utilities Co. v. City of Palatka*, 86 Fla. 583, 99 So. 236 (1923).



*Mohme v. City of Cocoa*, 328 So. 2d 422, 424 (Fla. 1976). In light of these authorities, it is not surprising that the PSC has repeatedly confirmed that it “does not regulate the revenue requirement or the rate level of a municipal utility.”<sup>4</sup>

15. The PSC simply does not have the requisite jurisdiction to entertain Petitioners’ challenge to GRU’s revenue requirement or the level of its rates. If the Petitioners want to question the reasonableness of GRU’s rates then their recourse is to the City Commission not the PSC. See *City of Tallahassee v. Mann*, 411 So. 2d at 163 (noting that the PSC “has no authority over [the reasonableness of] those rates. If the rates are unreasonable, the ratepayers have recourse to the city commission.”). This principle permits a municipality like Gainesville to locally deliberate and determine how best to balance sometimes competing objectives such as conservation and affordability in accordance with its citizens’ own local perspectives and values. This exercise of local autonomy is precisely what the Florida legislature directed when it expressly authorized the City of Gainesville to sell electricity to customers within and outside the city limits, and to “establish, impose and enforce, by ordinance” the rates to be charged for such electric services. Ch. 90-394, § 1 at 23-24, Laws of Fla.

#### **The PSC Does Not Have Jurisdiction Over GRU’s Wholesale Rate Structure and Wholesale Power Agreements**

16. The Petition improperly attempts to invoke the PSC’s jurisdiction under section 366.04(2)(b), Florida Statutes, as a means to challenge GRU’s wholesale rate structure and wholesale power agreements. For instance, in Paragraph 11 and footnote 4, the Petition

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<sup>4</sup> See *In Re: Petition for approval of long-term large demand elec. serv. agreement by Kissimmee Util. Auth.*, Docket No. 971597-EM, Order No. PSC-98-0325-FOF-EM (Feb. 24, 1998); *In Re: Request for approval of tariff revisions and new rate riders by Jacksonville Elec. Auth.*, Docket No. 961189-EM, Order No. PSC-96-1529-FOF-EM (Dec. 16, 1996); *In Re: Request for approval of optional Contract Elec. Rate Schedule by City of Homestead*, Docket No. 960844-EM, Order No. PSC-96-1096-FOF-EM (Aug. 27, 1996); *In Re: Petition for approval of optional large high load factor power service by City of Lakeland*, Docket No. 960680-EM, Order No. PSC-96-0999-FOF-EM (Aug. 5, 1996); and *In Re: Petition for approval of proposed option contract elec. serv. schedule by Fort Pierce Utils. Auth.*, Docket No. 951255-EM, Order No. PSC-95-1442-FOF-EM (Nov. 28, 1995).

challenges GRU's agreement to provide wholesale power service to the City of Alachua at rates lower than GRU's residential and commercial classes, and claims that "GRU commercial class customers are subsidizing the Alachua wholesale customers to the benefit of the residential customers."<sup>5</sup> Likewise, in Paragraph 7 and footnote 3, the Petition challenges the costs and rate impact associated with GRU's contract to purchase at wholesale biomass-generated electricity from GREC.

17. It is clear from these arguments that the Petitioners prefer that GRU sell wholesale electricity at a higher price and buy wholesale electricity for a lower price, and that Petitioners seek the PSC's assistance to address these concerns. But in so doing, the Petition would have the PSC interpose itself in an area that is well beyond its lawful reach. Indeed, the Florida Supreme Court has specifically held that the PSC cannot use its rate structure jurisdiction under section 366.04(2)(b) to regulate an electric utility's wholesale rate structure or wholesale power contracts that could impact the wholesale rate structure. *See Lee County Elec. Coop., Inc. v. Jacobs*, 820 So. 2d at 297. Furthermore, it is settled that a municipal electric utility's wholesale contracts are not subject to the PSC's jurisdiction. In the PSC's Final Order approving the need determination for the GREC biomass power plant, the PSC specifically noted that although its analysis of a power purchase agreement for an investor owned utility would normally consider whether the ratepayers would pay above avoided costs for purchases of renewable capacity and energy, "such is not the case with the current proceeding because GRU is not rate-regulated by this Commission." *In re: Joint Pet. to Determine Need for Gainesville Renewable Energy Center in Alachua County*, Docket No. 090451-EM, Order No PSC-10-0409-FOF-EM, at 6 n.4 (June 28, 2010); *Id.* at 27 n.9 (recognizing that the PSC "do[es] not have final

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<sup>5</sup> Based on the exhibit Petitioners themselves use to support this argument (Exhibit C to the Petition), it is clear that GRU's wholesale contract with the City of Alachua actually benefits all classes of customers, contrary to Petitioners' characterization.

rate making authority over municipal utilities and will not review the final costs or establish rates resulting from the proposed GREC project”); *see also In re: Recommendation on Comm'n Action Regarding adoption of PURPA Standard 14, "Time-based Metering and Communications"*, Docket No. 070022-EU, Order No. PSC-07-0212-PAA-EU (Mar. 7, 2007) (recognizing that the PSC has few alternatives to pressure municipal electric utilities to offer “time differentiated rates” because “Municipal and Rural Cooperative wholesale contracts are not subject to either FERC or our jurisdiction”).

18. The PSC is a creature of statute and has only such powers as are conferred expressly or impliedly by statute. *Deltona Corp. v. Mayo*, 342 So. 2d 510, 512 n.4 (Fla. 1977); *State, Dep't of Transp. v. Mayo*, 354 So. 2d 359, 361 (Fla. 1977). Moreover, especially when it comes to the PSC’s rate structure jurisdiction over electric utilities like GRU, “[a]ny reasonable doubt regarding the [PSC’s] regulatory power compels the [PSC] to resolve that doubt against the exercise of jurisdiction.” *Lee County Elec. Coop., Inc. v. Jacobs*, 820 So. 2d at 300. Here, the Supreme Court’s ruling in *Lee County Elec. Coop.* leaves no doubt that the PSC lacks the jurisdiction to investigate or otherwise regulate the wholesale rate structure of GRU. 820 So. 2d at 300-301. The same holds true for the PSC’s lack of jurisdiction over GRU’s wholesale power agreements with GREC and the City of Alachua. *Id.* Indeed, as discussed above, in reviewing the need for the GREC biomass power plant the PSC explicitly confirmed that it does not have final rate making authority over GRU, and will not review GRU’s final costs or establish GRU’s rates that result from GRU’s decision to purchase renewable energy from the GREC biomass facility. *See* Order No PSC-10-0409-FOF-EM, at 6 n.4 and 27 n.9.

#### **The Petition is not Ripe for Consideration**

19. To the extent that the Petition seeks to have the PSC investigate the retail rate structure of GRU, the Petition is potentially moot and certainly not ripe for consideration at this



time. The Petition complains that the proposal in the Baker Tilly cost of service study to convert GRU's current three-tiered energy rate structure to a two-tiered rate structure is "inequitable within the residential rate class." Petition at ¶ 13, n.5. However, after the Petition was filed, the City Commission conducted a public budget hearing on July 25, 2013 and voted not to adopt that proposed two-tiered rate structure. The City Commission instead voted to retain GRU's previously enacted three-tiered energy rate structure and authorized the City Attorney to draft ordinances to that effect. Those ordinances, if adopted, would retain GRU's current three-tiered rate structure for at least the next fiscal year, and would render Petitioners' complaints about the proposed two-tiered rate structure moot.

20. To the extent the Petition complains about GRU's current three-tiered retail rate structure, such complaints are premature. As discussed above, the City Commission's decisions to approve a revenue requirement and continue with the existing three-tiered rate structure are preliminary in nature. The revenue requirements and the rates, including any change in rate structure cannot go into effect until the revenue requirement is adopted by resolution, and the rates and rate structure are adopted by ordinance. On July 25, 2013, the City Commission instructed GRU and the City Attorney to prepare the appropriate resolutions and ordinances and to advertise the public hearings at which those resolutions and ordinances will be considered. That work is ongoing and those matters have not been finalized. The Petitioners thus invite a prolonged analysis of alleged rate structure inequities based on rate design modifications that have not yet been crystallized by the City Commission.

21. Because, as the Petition admits, the rate tier modifications challenged by Petitioners have not been finally adopted by ordinance amid the potential alternatives, the issue is not ripe for consideration. This sort of premature and speculative request for what essentially

amounts to an advisory opinion contradicts well-settled principles of judicial economy which require that an issue must be “ripe” for adjudication before the resources of a court or administrative tribunal are to be invoked.

22. The PSC has recognized the longstanding importance of requiring that a dispute be ripe before can be properly adjudicated, and has described the principle as follows:

Ripeness is a judicial doctrine and designed “to prevent the courts, through avoidance of premature adjudication, from entangling themselves in abstract disagreements over administrative policies, and also to protect to the agencies from judicial interference until an administrative decision has been formalized and its effects felt in a concrete way by the challenging parties.”

*In re: Investigation of Vilair Communications, Inc.’s Eligible Telecommunications Carrier Status & Competitive Local Exchange Comp. Certificate Status in the State of Fla.*, Docket No. 080065-TX, Order No. PSC-08-0304-PCO-TX (May 8, 2008) (quoting *Abbott Labs. v. Gardner*, 387 U.S. 136, 148-49 (1967); *In re: Joint Pet. by TDS Telecom d/b/a TDS Telecom/Quincy Tel., et al.*, Docket No. 050125-TP, Order No. PSC 06-0776-FOF-TP (Sept. 18, 2006) (“Based upon the foregoing analysis and the record, this issue is not ripe and a determination at this time would be premature.”).

23. Because GRU’s retail rate structure has not been finalized and is still subject to review and potential revision by the City Commission, this is a classic case for the ripeness doctrine to preclude the PSC from proceeding with the requested formal administrative hearing.

### **Conclusion**

24. All of the factors discussed above vividly illustrate that the Petition seeks to have the PSC regulate the reasonableness of GRU’s rates, its wholesale rate structure, and its wholesale power transactions. Because all of those actions would be clearly beyond the PSC’s jurisdiction, those aspects of the Petition must be dismissed with prejudice. Furthermore, the

complaints in the Petition challenging the proposed two-tiered retail rate structure should be dismissed because the City Commission voted on July 25, 2103 not to adopt that proposed rate structure, but instead decided to continue on with GRU's existing three-tiered rate structure. Finally, to the extent that the Petition seeks to have the PSC investigate GRU's existing three-tiered retail rate structure, the ordinance adopting that rate structure has not been finalized and it would be premature to initiate a formal investigation of that rate structure at this time.

WHEREFORE, GRU respectfully requests that:

1. the complaints in the Petition that challenge GRU's rates, wholesale rate structure, and wholesale power agreements be dismissed with prejudice for lack of jurisdiction; and
2. the complaints in the Petition that challenge GRU's retail rate structure be dismissed because they are not ripe for consideration.

Respectfully submitted this 2nd day of August, 2013.

**HOLLAND & KNIGHT LLP**



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*Counsel for the City of Gainesville d/b/a  
Gainesville Regional Utilities*



CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was furnished by U.S. Mail to: Nathan A. Skop, Esq., 420 NW 50th Blvd., Gainesville, FL 32607; and Jennifer Crawford, Esq. and Martha Barrera, Esq., Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850 this 2nd day of August, 2013.

  
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Attorney