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August 1, 2017

E-PORTAL FILING

Ms. Carlotta Stauffer, Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 20170150-EI - Petition for limited proceeding to include reliability and modernization projects in rate base, by Florida Public Utilities Company.

Dear Ms. Stauffer:

Attached for filing in the referenced docket, please find a Clarification of Procedure for Conducting The Limited Proceeding and Subsequent Tariff Filing, submitted today on behalf of Florida Public Utilities Company and the Office of Public Counsel.

As always, please don't hesitate to let me know if you have any questions. Thank you for your assistance with this filing.

Kind regards,



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cc:/ (Certificate of Service)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Limited Proceeding to Include Reliability and Modernization Projects in Rate Base by Florida Public Utilities Company.

DOCKET NO. 20170150-EI

FILED: August 1, 2017

**CLARIFICATION OF PROCEDURE FOR CONDUCTING
THE LIMITED PROCEEDING AND SUBSEQUENT TARIFF FILING**

Florida Public Utilities Company (“FPUC” or “Company”), and the Citizens of the State of Florida, by and through the Office of Public Counsel (“OPC”) (collectively, the “Parties”) hereby file this clarification of procedure for conducting the limited proceeding and subsequent tariff filing as set forth in the Parties’ Joint Motion filed on July 21, 2017. The Parties, having met and conferred, agree the following procedure shall apply in this docket:

1. FPUC will file a tariff in a separate docket based on the Public Service Commission’s (“Commission”) Proposed Agency Action (“PAA”) vote within 15 days of the PAA vote.
2. The PAA order will be issued on or before 20 days after the PAA vote.
3. For the purposes of this proceeding, and as agreed to by the Parties, 21 days following the issuance of the PAA order shall be deemed the filing deadline for any and all objections to FPUC’s tariff, as well as the PAA Order (“Filing Deadline”). If any substantially affected person and/or OPC want to have a hearing on the PAA vote rates, they must file both a protest in the PAA docket and a separate request for hearing in the tariff docket on or before the Filing Deadline. If FPUC wants to have a hearing on the PAA vote rates, it shall be required to file a protest in the PAA docket by the Filing Deadline.

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4. If no timely protest is filed in the PAA docket and no request for hearing is timely filed in the tariff docket, the tariff rates will go into effect the day after the Filing Deadline and both the tariff and the PAA dockets will be closed.

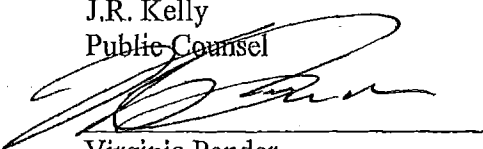
5. If either OPC or a substantially affected person files a timely protest in the PAA docket and also files a request for hearing in the tariff docket, the tariff rates shall go into effect the day after the Filing Deadline, subject to refund.

6. If only FPUC files a timely protest in the PAA docket, FPUC shall simultaneously withdraw its tariff and the tariff docket will be administratively closed. The net effect of the withdrawal of the tariff is that there will be no rate increase during the pendency of the hearing process.

7. Should a PAA protest and a request for hearing on the tariff be filed, the tariff docket and PAA docket will be consolidated for hearing purposes only.

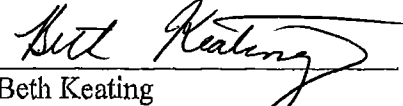
8. This procedure shall be limited to this case, Docket No. 20170150-EI. FPUC and OPC agree that neither waive any argument in any future docket as to the application of the "file and suspend" statute to limited proceedings nor shall this agreement be deemed "res judicata" as to any argument regarding that question in any future docket.

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Clarification of Procedure for Conducting the Limited Proceeding and Subsequent Tariff Filing has been furnished by electronic mail to the following parties on this ^{1st} day of August, 2017.

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