

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint by Gulf Coast Electric Cooperative, Inc. against Gulf Power Company for violation of a territorial order.

Docket No: 20180125-EU

Filed: July 11, 2018

NOTICE OF FILING AFFIDAVIT

Gulf Coast Electric Cooperative, Inc. by and through its undersigned counsel, hereby gives notice that on this 11th day of July, 2018, it filed the attached Affidavit of John H. Haswell concerning notice with the Office of Commission Clerk.

HOLLAND & KNIGHT LLP

/s/D. Bruce May, Jr.

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Counsel for Gulf Coast Electric Cooperative, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was furnished by E-Mail this 11th day of July, 2018, to: Jeffrey A. Stone (jastone@southernco.com), Gulf Power Company, General Counsel, Sandy Sims (SFSims@southernco.com), Eastern District General Manager, Gulf Power Company, and Rhonda J. Alexander (rjalexad@southernco.com), One Energy Place, Pensacola, Florida 32520-0780, and Russell A. Badders (rab@beggslane.com) and Steve Griffin (srg@beggslane.com), Beggs & Lane, P.O. Box 12950, Pensacola, Florida 32591-2950, Mary Anne Helton (mhelton@psc.state.fl.us), Deputy General Counsel, and Jennifer Crawford (jcrawfor@psc.state.fl.us) and Kurt Schrader (kschrade@psc.state.fl.us), Staff Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399.

/s/D. Bruce May, Jr. _____
Attorney

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint by Gulf Coast Electric)
Cooperative, Inc. against Gulf Power)
Company for violation of a territorial)
Order)
_____)

Docket No.: 20180125-EU
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AFFIDAVIT OF JOHN H. HASWELL

Before me, the undersigned authority, personally appeared John H. Haswell, who after being sworn, deposes and says as follows:

1. My name is John H. Haswell, I am over the age of 21 and have personal knowledge concerning the matters set forth in this Affidavit.
2. I was lead counsel for Gulf Coast Electric Cooperative, Inc. (“GCEC”) in the Public Service Commission case filed by Gulf Power Company (“Gulf Power”), Docket No. 930885-EU which included an Order Approving Procedures and Guidelines for Avoiding Further Uneconomic Duplication of Facilities (Order No. PSC 01-0891-PAA–EU and Order No. PSC-01-891A-PAA-EU) (the “Territorial Orders”).
3. While Gulf Power was the primary drafter of the Procedures and Guidelines for Avoiding Further Uneconomic Duplication of Facilities that were approved in the Territorial Orders, I was party to various communications regarding their drafting.
4. It was never anticipated, intended, or agreed by the parties that “notice” as required by any provision of the Territorial Orders, including under Section 2.3 of the Procedures and Guidelines for Avoiding Further Uneconomic Duplication of Facilities, could be effected by email. At the time the case was pending, and at the time the Territorial Orders were entered, email was not a regular means of effecting notice in this industry.

5. Nor was it anticipated, intended, or agreed that “notice” required to be provided under the Territorial Orders could be effected by service of notice to anyone at GCEC, other than through notice to its General Manager and its two attorneys of record, myself and J. Patrick Floyd, at their mailing addresses.
6. Indeed, in the docket in which the Territorial Orders were entered, Docket No. 930885-EU, Gulf Power was expressly instructed that all “[n]otices and communications with respect to this docket” are to be addressed to GCEC’s counsel of record or its General Manager.

FURTHER AFFIANT SAYETH NOT.

By: 
JOHN H. HASWELL

STATE OF Florida
COUNTY OF Alachua

Sworn to and subscribed before me, at the time of notarization, by John H. Haswell who is personally known to me or _____ produced a valid form of identification, this 11th day of July, 2018.


NOTARY PUBLIC



BARRIE E. HAMILTON
MY COMMISSION # FF 938712
EXPIRES: March 21, 2020
Bonded Thru Budget Notary Services

[Print Name]

My Commission Expires: _____