

**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: August 10, 2018

**NOTICE OF FILING AFFIDAVITS**

Gulf Coast Electric Cooperative, Inc. (“GCEC”) by and through its undersigned counsel, hereby gives notice that on this 10th day of August, 2018, it filed with the Commission Clerk the attached Affidavits of John Bartley and J. Patrick Floyd, Esq. for consideration, along with the affidavits previously filed by GCEC of Peyton Gleaton and John Haswell, by the Prehearing Officer on any matter currently pending in this docket.

**HOLLAND & KNIGHT LLP**

/s/D. Bruce May, Jr.

**D. Bruce May, Jr.**

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(850) 224-7000 (Telephone)

*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 10th day of August, 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

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\_\_\_\_\_ )

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**AFFIDAVIT OF JOHN BARTLEY**

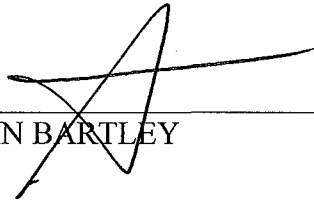
Before me, the undersigned authority, personally appeared John Bartley, who after being sworn, deposes and says as follows:

1. My name is John Bartley, I am over the age of 21 and have personal knowledge concerning the matters set forth in this Affidavit.
2. Since 2017, I have been employed by Gulf Coast Electric Cooperative, Inc. (“GCEC”) as Chief Executive Officer and General Manager. I was hired initially as Chief Financial Officer of GCEC in 2013.
3. As General Manager I am routinely designated, authorized, and appointed by GCEC to receive notice for any legal or contractual matter on behalf of GCEC.
4. At all times during my employment with GCEC, C. Peyton Gleaton, Jr. has never been designated, authorized, or appointed by GCEC to receive notice for any territorial agreement or any other legal or contractual matter on behalf of GCEC.
5. At all times during my employment with GCEC, the Vice President of Engineering for GCEC has never been designated, authorized, or appointed by GCEC to receive notice for any territorial agreement or any other legal or contractual matter on behalf of GCEC.
6. The Territorial Agreement that is the subject of this proceeding was entered in Docket No. 930885-EU, to resolve a petition filed by Gulf Power concerning a territorial dispute.

7. In the notice procedures applicable to Docket No. 930885-EU in which the Territorial Agreement was entered, GCEC gave Gulf Power express written instructions that all “[n]otices and communications with respect to this docket should be addressed to” GCEC’s counsel of record and GCEC’s General Manager. See GCEC’s Answer to Gulf Power’s Petition in Docket No. 930885-EU.

8. Gulf Power never provided me with any notice pertaining to the Territorial Agreement.

FURTHER AFFIANT SAYETH NOT.

By:   
\_\_\_\_\_  
JOHN BARTLEY

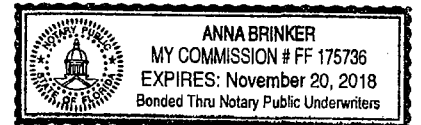
STATE OF FLORIDA  
COUNTY OF DUVAL

Sworn to and subscribed before me, at the time of notarization, by John Bartley who is \_\_\_\_\_ personally known to me or  produced a valid form of identification, this 10<sup>th</sup> day of August, 2018.

  
\_\_\_\_\_  
NOTARY PUBLIC

Anna L. Brinker  
[Print Name]

My Commission Expires: \_\_\_\_\_



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**AFFIDAVIT OF J. PATRICK FLOYD**

Before me, the undersigned authority, personally appeared J. Patrick Floyd, who after being sworn, deposes and says as follows:

1. My name is J. Patrick Floyd, I am over the age of 21 and have personal knowledge concerning the matters set forth in this Affidavit.
2. I have long served as outside counsel to Gulf Coast Electric Cooperative, Inc. (“GCEC”).
3. Along with John H. Haswell, I was listed as one of GCEC’s counsel of record in the Public Service Commission (“PSC”) case filed by Gulf Power Company (“Gulf Power”) in Docket No. 930885-EU, wherein the PSC issued the 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”).
4. In the notice procedures applicable to Docket No. 930885-EU in which the Territorial Orders were entered, GCEC gave Gulf Power express written instructions that all “[n]otices and communications with respect to this docket should be addressed to” GCEC’s counsel of record and GCEC’s General Manager. See GCEC’s Answer to Gulf Power’s Petition in Docket No. 930885-EU.

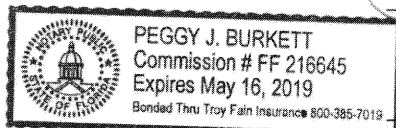
5. Gulf Power never provided me with any notice pertaining to the Territorial Agreement Order or the Procedures and Guidelines for Avoiding Further Uneconomic Duplication of Facilities.

FURTHER AFFIANT SAYETH NOT.

By: J. Patrick Floyd  
J. PATRICK FLOYD

STATE OF Florida  
COUNTY OF Gulf

Sworn to and subscribed before me, at the time of notarization, by J. PATRICK FLOYD who is  personally known to me or \_\_\_\_\_ produced a valid form of identification, this 10<sup>th</sup> day of August, 2018.



Peggy J. Burkett  
NOTARY PUBLIC

[Print Name]

My Commission Expires: \_\_\_\_\_