



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: February 11, 1999
TO: Rick Melson, Esquire
FROM: William C. Keating, Senior Attorney, Division of Legal Services *WCK RVE*
RE: Docket No. 981827-EC - Complaint and petition by Lee County Electric Cooperative, Inc. for an investigation of the rate structure of Seminole Electric Cooperative, Inc.

Via Facsimile

At the request of Mr. Bruce May, counsel for Lee County Electric Cooperative, Inc. (LCEC), I agreed to meet with Mr. May at my office concerning the Commission's jurisdiction over the subject of the above-referenced docket. At 2:00 pm, February 9, 1999, Mr. May arrived at my office accompanied by attorneys Kathleen Lake and John Noland and LCEC official Frank Wilkerson. I was not aware that Ms. Lake and Mr. Noland would be accompanying Mr. May but was aware that an LCEC official would be with Mr. May. We met for approximately 25 minutes, during which time Mr. May and Ms. Lake presented some of the arguments set forth in LCEC's response to Seminole Electric Cooperative, Inc.'s motion to dismiss its complaint and petition in this docket. The presentation focused on the question of federal preemption of state jurisdiction over the subject of this docket and the implications of a "regulatory gap" absent Commission jurisdiction.

No notice of this meeting was provided to parties in this docket. Therefore, pursuant to Rule 25-22.033, Florida Administrative Code, concerning staff communications with parties, this disclosure is provided.

cc: Bruce May, Esquire
 Blanca Bayo
 Dave Wheeler

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