

AUSLEY & McMULLEN

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TALLAHASSEE, FLORIDA 32301
(850) 224-9115 FAX (850) 222-7560

December 14, 2012

HAND DELIVERED

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

RECEIVED-FPSC
12 DEC 14 AM 11:58
COMMISSION
CLERK

Re: Edward McDonald v. Tampa Electric Company
FPSC Docket No. 110305-EI

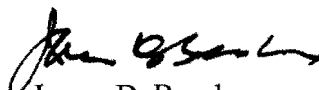
Dear Ms. Cole:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Response to Motion for Stay Pending Judicial Review.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to this writer.

Thank you for your assistance in connection with this matter.

Sincerely,



James D. Beasley

JDB/pp

cc: Mr. Edward McDonald
Ms. Pauline Robinson

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

EDWARD MCDONALD,)
)
 Petitioner,)
)
 v.)
)
 TAMPA ELECTRIC COMPANY,)
)
 Respondent.)
 _____)

DOCKET NO. 110305-EI

FILED: December 14, 2012

**TAMPA ELECTRIC COMPANY'S RESPONSE TO
MOTION FOR STAY PENDING JUDICIAL REVIEW**

Tampa Electric Company ("Tampa Electric" or "the company"), responds as follows to the above-referenced Motion and, says:

1. The Motion fails to identify the order of ruling with respect to which Mr. McDonald's seeks a stay.
2. The Motion fails to state a legitimate basis for staying any of the Commission's many prior rulings relative to this customer's Tampa Electric account.
3. The Motion asserts that an appeal will be filed with a court that lacks jurisdiction over any of the orders rendered by the Commission.
4. The customer is not on Tampa Electric's medical watch program and the reasons stated in his Motion do not qualify him for this program.
5. On December 10, 2012, the customer's electric service was terminated for non-payment of overdue amounts owed on his residential account over and above the \$915.94 disputed amount involved in this docket.

1011 MOBILE UNIT 110305-EI

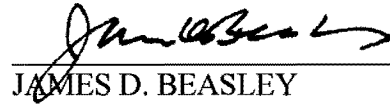
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FPSC-COMMISSION CLERK

WHEREFORE, Tampa Electric urges that the Motion for Stay Pending Judicial Review be denied.

DATED this 14th day of December 2012.

Respectfully submitted,



JAMES D. BEASLEY
J. JEFFRY WAHLEN
Ausley & McMullen
Post Office Box 391
Tallahassee, Florida 32302
(850) 224-9115

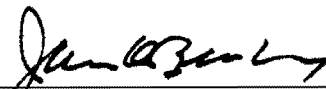
ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Response to Motion for Stay Pending Judicial review, filed on behalf of Tampa Electric Company, has been furnished by hand delivery (*) or U. S. Mail on this 14th day of December 2012 to the following:

Ms. Pauline Robinson, Attorney*
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Mr. Edward McDonald
7203 N. 41st Street
Tampa, FL 33604



ATTORNEY