

Collin Roehner

From: Office of Commissioner Brown
Sent: Wednesday, September 07, 2016 8:18 AM
To: 'Foehi@aol.com'; Office of Commissioner Brown; Office of Commissioner Brisé; Office Of Commissioner Edgar; Office Of Commissioner Graham; Office of Commissioner Patronis
Cc: rick.scott@eog.myflorida.com; Negron.joe@flsenate.gov; richard.corcoran@myfloridahouse.gov; townclerk@irshores.com; dickhaverland@aol.com; betzmcc@yahoo.com; Records Clerk
Subject: RE: Indian River Shores Hearing September 13, 2016

On behalf of Chairman Brown, we have received your email. The Commission Clerk has placed a copy of your email in Docket Correspondence, Consumers and their Representatives, in Docket No. 160049-EU, *In re: Petition by the Town of Indian River Shores for Modification of Territorial Order Based on Changed Legal Circumstances Emanating from Article VIII, Section 2(c) of the Florida Constitution*. Thank you for providing the Commission with your comments.

Sincerely,

Office of Chairman Brown

From: Foehi@aol.com [<mailto:Foehi@aol.com>]
Sent: Tuesday, September 06, 2016 6:35 PM
To: Office of Commissioner Brown; Office of Commissioner Brisé; Office Of Commissioner Edgar; Office Of Commissioner Graham; Office of Commissioner Patronis
Cc: rick.scott@eog.myflorida.com; Negron.joe@flsenate.gov; richard.corcoran@myfloridahouse.gov; townclerk@irshores.com; dickhaverland@aol.com; betzmcc@yahoo.com
Subject: Indian River Shores Hearing September 13, 2016

Ladies and Gentlemen of The PUC:

I am a resident of 11 years in the town of Indian River Shores and, as a consequence, am also an unwilling captive customer of Vero Beach Electric. As such, my electric bills are, on average, more than 30% higher than the people who live on the north side of Old Winter Beach road, the nearest of whom lives less than 50 yards from me. Though they too are residents of Indian River Shores, they have the good fortune to be customers of FPL. It is hard to see how this makes any sense at all

This is a totally inequitable situation, made more so in that I and all other IRS residents who would like to switch to FPL are unable to in spite of an extremely generous offer to the city of Vero Beach which should enable them to sell our business to FPL at a nice profit.

There are many reason why this is wrong

- It creates an unregulated monopoly and therefore contravenes Article VIII, Section 2 (c) of Florida's Constitution.
- Our 30 year old franchise agreement with Vero Beach expires in November after which Vero Beach will be operating an unregulated monopoly which clearly must be defined as a " changed legal circumstance".

- Vero Beach now produces no electricity and no longer has a functioning power plant. They buy from other producers (including FPL), mark up the price significantly and pass it along to us. They are doing exactly what we want to do and adding no value to the product we get from them. This is completely ridiculous.
- The revenues from Indian River Shores' power purchases go directly into Vero Beach's general fund and are used to keep their taxes low. This is TAXATION WITHOUT REPRESENTATION which is expressly prohibited by the US Constitution.
- We residents have no say whatsoever in how the Vero utility operates, how rates are set, or how the City of Vero Beach uses the unregulated profits that it extracts from us. This was exemplified by the City Council's cavalier rejection of its own Utilities Commission's unanimous recommendation to accept FPL's \$30 million cash offer to purchase the utility system in our Town, which offer included a \$3 million contribution from Indian River Shores.
- My neighbors across the street who are FPL customers are protected by a team of lawyers from the Office of Public Counsel -- funded entirely by the State of Florida -- whose sole charge is to protect FPL customers from excessive electric rates and poor quality of service. We have no such protection being left in the hands of an unregulated monopoly whose only interest is to gouge as much money from us as they can.
- Apparently, there has been no territorial review of our town by the PSC for 28 years. The time has come!

These are the primary, but not only, reasons why it is so important for you to review this case in favor of the town of Indian River Shores on September 13. Thank you for your attention and interest in this matter.

James V. McConnell
Indian River Shores, FL 32963