

# Holland & Knight

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January 6, 2017

*Via E-mail*

Carlotta Stauffer  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Docket No. 160060-EC – Complaint and petition of the City of Cape Coral for an investigation into the rate structure of Lee County Electric Cooperative, Inc.

Dear Ms. Stauffer:

On behalf of Lee County Electric Cooperative, Inc. (“LCEC”), we would like to advise the Commission that we have reviewed correspondence sent to the Commission by the City of Cape Coral (the “City”) on December 21, 2016, and do not intend to substantively respond other than to point out that such filing is unauthorized, and that we strongly disagree with the allegations of “undisputed” facts and other assertions contained within it.

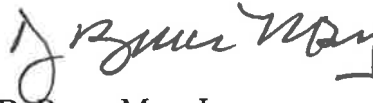
To the extent the Commission believes it would be beneficial for LCEC to provide further briefing in response to the City’s letter, we certainly would be happy to do so. However, we suggest that the better course would be for the Commission to move forward on the properly filed pleadings in this action, and not to accept or entertain the assertions in the letter or any other supplemental filings that are not authorized under the Uniform Rules or the Commission’s rules. Those rules are intended to prevent excessive costs and inefficiencies that can result from an open-ended cycle of unauthorized pleading and briefing. We note that LCEC has already been required to file one motion to strike a previously unauthorized filing in this matter. We further note that the Commission can, as it has done in the past, efficiently process a challenge to an electric utility’s rate structure by adhering to the pertinent procedural rules, and limiting its review to the utility’s motion to dismiss and the complainant’s response thereto. *In re: Complaint regarding electric rate structure for Gainesville Regional Utilities*, Order No. PSC-14-0137-FOF-EM, Docket No. 130188-EM (March 19, 2014).

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As always, LCEC looks forward to assisting the Commission in fairly resolving this matter as efficiently as possible. Please let us know of any additional information we can provide to accomplish that objective.

Sincerely,

HOLLAND & KNIGHT LLP

A handwritten signature in black ink, appearing to read "D. Bruce May, Jr.", written in a cursive style.

D. Bruce May, Jr.

DBM:kjg

cc: Danijela Janjic, Esq.  
Brian Armstrong, Esq.  
Dolores Menendez  
Frank Cain  
Kevin Cox, Esq.