

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Florida Power & Light Company (FPL) for authority to charge FPL rates to former City of Vero Beach customers and for approval of FPL's accounting treatment for City of Vero Beach transaction.

DOCKET NO. 20170235-EI

In re: Joint petition to terminate territorial agreement, by Florida Power & Light and the City of Vero Beach.

DOCKET NO. 20170236-EU

October 8, 2018

CIVIC ASSOCIATION OF INDIAN RIVER COUNTY, INC.[CAIRC]
MOTION FOR STAY OF PROCEEDINGS IN LIGHT OF HURRICANE
MICHAEL EMERGENCY AND
REQUEST FOR RESCHEDULING HEARING DATES

CAIRC, pursuant to Florida Rules of Civil Procedure, hereby files this Motion for Stay of Proceedings of the hearing in the above docket and to Reset the Hearing Dates, and in support thereof states as follows:

1. CAIRC and all of its witnesses have to travel by car and by plane to Tallahassee to present testimony of all of our issues.

2. Currently Florida is under a state of emergency as counsel writes this Motion. Travel by car is approximately 6 hours driving for those coming from Vero Beach, including counsel for CAIRC, and those flying in are coming Tuesday morning on not a terribly cheap ticket as they have no private planes at their disposal. Even if they could accomplish an arrival, chances are quite good that they would be unable to leave and have to remain in the path of the storm.

3. CAIRC has explained their situation at length in both emails and phone calls to the PSC. We also do not want to bring the witnesses we need to cross-examine into harms way, of course, but the other parties are making those decisions.

4. FPL has kindly offered to stipulate to our witness testimony, as I'm sure they'd be the first to point out. But counsel herself needs the opportunity -- and this is our sole opportunity to date in all these years of discussing every part of this transaction -- to bring to the PSC and the public the **sworn testimony and evidence** to make our case about extraordinary circumstances and public interest issues. Only cross-examination will accomplish that at this point.

5. Also, we have need of entering into the record our official documents, and CAIRC has spent close to \$800 to get these copied since no other parties would stipulate to their relevancy. They are relevant, as are our arguments.

6. CAIRC is also greatly concerned regarding the issue of extraordinary circumstances and the alleged facts being used to support same by elected officials of the City, County and Town. Most of them have claimed, even bragged, about how they will be presenting their testimony during the public comment portion of the hearing. If our Motion to Reconsider the protective order on Mayor Howle is to be heard, and if not, or if it is denied, since none of the other previously very vocal government officials have offered direct testimony nor rebuttal, CAIRC won't be able to get them on record. We are, again, at a loss to see how the PSC can force this hearing can go forward.

7. CAIRC feels strongly that we have participated as honestly and diligently, and as cooperatively as we could manage while still being new to this arena. We feel an extraordinary situation exists, along with our very real and very singular burden of speaking for City of Vero Beach citizens who may be completely unaware of all that is at issue in this complicated and technical proceeding.

8. In prior hurricane emergencies, I know the State likes to remain as long as possible at their stations, although I don't have time right now to research exact

closing times from prior emergencies. But we in the distant shores of Vero Beach do not want to drive into danger, and into the jaws of what is now being reported as a possible Category 3 storm, and then be faced trying to manage an evacuation on the few roads leading out of town. As I'm sure you all recall, the evacuation out of Tallahassee for Irma last year went at a crawl. A very scary crawl.

WHEREFORE, for the foregoing reasons, CAIRC respectfully requests that the Commission consider this an emergency, and not a motion made to delay. We need to ask for a prudent and considerably important stay of the hearing and a rescheduling as soon as everyone can get their witnesses and schedules rearranged. Thank you very much for any consideration you can give us.

I HEREBY CERTIFY that a true and correct copy of the above and foregoing has been filed and forwarded via email this 8th day of October, 2018, to: PARTIES listed below.

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By /s/ LYNNE A. LARKIN _____
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