

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition for Approval of
Territorial Agreement between Sumter
Electric Cooperative, Inc. and the City of
Ocala, Florida d/b/a Ocala Electric Utility

Docket No.:

[Insert Filing Date]

JOINT PETITION FOR APPROVAL OF TERRITORIAL AGREEMENT

The City of Ocala, Florida d/b/a Ocala Electric Utility (“OEU”) and the Sumter Electric Cooperative, Inc. (“SECO”), by and through their undersigned attorneys, jointly petition the Florida Public Service Commission (“Commission”) for approval of a territorial agreement between OEU and SECO dated [INSERT DATE], and in support thereof state as follows:

1. OEU and SECO (collectively “Joint Petitioners”) are electric utilities serving customers in Marion County, Florida. OEU's principal place of business is in Ocala, Florida; SECO’s principal place of business is in Sumterville, Florida.

2. Copies of all correspondence, notices, pleadings, and orders in this matter should be served upon the following:

FOR SUMTER ELECTRIC COOPERATIVE, INC.:

Mr. John LaSelva, Chief Operating Officer
Sumter Electric Cooperative, Inc.
330 South U.S. Highway 301
Sumterville, Florida 33585-0301
EMAIL: John.laselva@secoenergy.com

D. Bruce May, Esquire
Holland & Knight LLP
315 S. Calhoun St., Suite 600
Tallahassee, Florida 32301
EMAIL: bruce.may@hklaw.com

FOR CITY OF OCALA, FLORIDA d/b/a OCALA ELECTRIC UTILITY:

Mr. Doug Peebles
Director of Electric Utility
City of Ocala
1805 NE 30th Avenue. Bldg. 400
Ocala, Florida 34470-4875
EMAIL: DPeebles@ocala.gov

William E. Sexton, Esquire
City Attorney
City of Ocala
110 SE Watula Ave
Ocala, FL 34471-2180
EMAIL: wsexton@ocalafl.gov

3. Since 1987, OEU and SECO have entered into a series of territorial agreements, the most recent of which was executed by the parties in 2003 (the “2003 Agreement”). The Commission approved that agreement by Order No. PSC-03-0477-PAA-EU dated April 10, 2003, and Order No. PSC-2003-0567-CO-EU dated May 2, 2003. The 2003 Agreement expired in May of 2018.

4. To best avoid uneconomic duplication of facilities and to best protect the public health and safety from potentially hazardous conditions, the Joint Petitioners have entered into a new territorial agreement currently submitted for approval by the Commission. The proposed Agreement is appended hereto as Attachment 1 along with accompanying maps and written descriptions delineating the territorial boundaries to which the Joint Petitioners have agreed. As required by Rule 25-6.0440(1)(a), F.A.C., the territorial boundaries are depicted in the maps attached in Composite Exhibit A to the Agreement, and a written description of the territorial boundaries is set forth in Composite Exhibit B to the Agreement

5. This proposed Agreement has been negotiated for an initial term of 20 years and shall remain in effect thereafter unless either Party provides written notice of termination at least 12 months prior to expiration of the initial term.

6. In this Agreement, 52 customers are to be transferred from SECO to OCALA (see Agreement, Exhibit C), and 17 customers are to be transferred from OCALA to SECO (see Agreement, Exhibit D). The Joint Petitioners expect that all customer transfers will be completed within 36 months of the Effective Date of the Agreement and will notify the Commission in writing if circumstances require additional time.

7. Prior to the filing of this Joint Petition, in accordance with Rule 25-6.0440(1)(d), F.A.C., the affected customers subject to transfer were sent written notification of this proposed Agreement. Sample copies of the letters providing such notification are appended hereto as Attachment 2.

8. The Commission has long recognized that properly structured territorial agreements between adjacent electric utilities like SECO and OCALA are in the public interest. The Agreement will avoid uneconomic duplication of facilities and wasteful expenditures, as well as protect the public health and safety from potentially hazardous conditions. Therefore, the Joint Petitioners respectfully represent that the Commission's approval of the Agreement is in the public interest.

9. The Agreement will be effective the date on which the Commission's final order approving the Agreement in its entirety becomes no longer subject to judicial review.

WHEREFORE, OCALA and SECO respectfully request that the Commission grant this Joint Petition and enter an order approving the Agreement in its entirety.

Respectfully submitted,

William E. Sexton, Esquire
City of Ocala City Attorney
110 SE Watula Ave
Ocala, FL 34471-2180
Telephone: 352-401-3972
Email: wsexton@ocalafl.gov

Counsel for City of Ocala

D. Bruce May, Jr., Esq.
Holland & Knight LLP
315 S. Calhoun Street, Suite 600
Tallahassee, FL 323201
Telephone: 850-224-7000
Email: bruce.may@hklaw.com

*Counsel for Sumter Electric Cooperative,
Inc*

ATTACHMENT 1

2023 Territorial Agreement

Sumter Electric Cooperative, Inc. and
The City of Ocala

ATTACHMENT 2

Sample notification letters to affected
customers in accordance with
Rule 25-6.0440(1)(d)