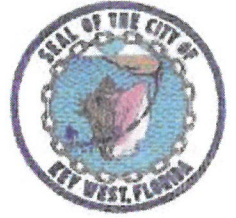
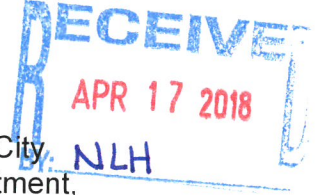


City of Key West Planning Department
3140 Flagler Avenue, Key West, FL 33040
(305)-809-3720



Petition for Vacation of City Property

City of Key West
Planning Department



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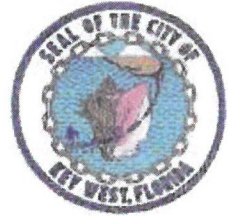
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1. Site Address 2301 Flagler Ave, Key West, FL 33040
2. Name of Applicant The Smith Law Firm, a professional association
3. Applicant is Owner Authorized Representative
(Attached Authorization Form must be completed)
4. Address of Applicant _____
509 Whitehead Street, Key West, Florida 33040
5. Phone Number of Applicant 305-296-0029
6. Name of Owner, if different than above Lawrence R. Mattox
7. Address of Owner P.O. Box 6122, Raleigh, NC 27628
8. Phone Number of Owner (919) 608-3532
9. Parcel RE# 00045550-000000
10. Description of specific location of requested Vacation. Also by separate attachment provide proposed legal description for property to be vacated.

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**City of Key West Planning Department
3140 Flagler Avenue, Key West, FL 33040
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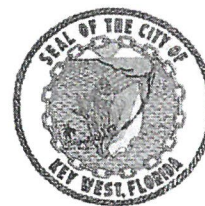
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- ❖ Notarized Verification Form
- ❖ Notarized Authorization Form (if applicable)

City of Key West
Planning Department



Verification Form

(Where Authorized Representative is an entity)

I, Wayne LaRue Smith, in my capacity as President
(print name) *(print position; president, managing member)*
of The Smith Law Firm, a professional association
(print name of entity serving as Authorized Representative)

being duly sworn, depose and say that I am the Authorized Representative of the Owner (as appears on the deed), for the following property identified as the subject matter of this application:

2301 Flagler Ave, Key West, FL 33040

Street Address of subject property

All of the answers to the above questions, drawings, plans and any other attached data which make up the application, are true and correct to the best of my knowledge and belief. In the event the City or the Planning Department relies on any representation herein which proves to be untrue or incorrect, any action or approval based on said representation shall be subject to revocation.

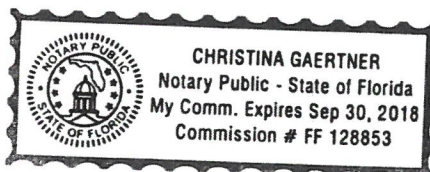
Wayne LaRue Smith
Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 7/6/17 by
Wayne LaRue Smith *date*
Name of Authorized Representative

He/She is personally known to me or has presented _____ as identification.

Christina Gaertner
Notary's Signature and Seal

Christina Gaertner
Name of Acknowledger typed, printed or stamped



Commission Number, if any

City of Key West
Planning Department



Authorization Form
(Individual or Joint Owner)

Please complete this form if someone other than the owner is representing the property owner in this matter.

I, Lawrence R. Mattox authorize
Please Print Name(s) of Owner(s) as appears on the deed

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Lawrence R. Mattox
Signature of Owner

Signature of Joint/Co-owner if applicable

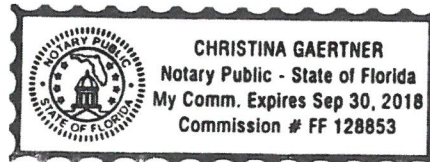
Subscribed and sworn to (or affirmed) before me on this 7/6/17
Date

by Lawrence R. Mattox
Name of Owner

He/She is personally known to me or has presented N.C DL 2815021 as identification.

Christina Gaertner
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Appendix to Petition for Vacation of City Property

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RESPONSE:

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11. Description of current use(s) of property.

RESPONSE:

The current use of the Vacation Property is as off-street parking behind Applicant’s Property. A portion of the Unnamed Alley has been enclosed by the neighbor, 2309 Flagler Avenue, and as a result it is no longer used as a thoroughfare street as it was originally intended. Additionally, the Unnamed Alley (including the Vacation Property) is utilized by the utility companies in order to access the utility lines that are erected along the Unnamed Alley which provide services to the respective adjacent properties on the 2300 block of Flagler and Staples Avenues. However, as a result of Florida Public Service Commission (“PSC”) Order #25-6.0342, the utility poles and lines will be relocated from within the Unnamed Alley to the front respective properties. Attached as Exhibit “B” is a copy of PSC Rule 25-6.0342. The purpose of the relocation of the utility lines is a result of the PSC’s mandate to all utility companies that they must harden the electrical infrastructure from future storms and make infrastructure more accessible in the event of an emergency. See Exhibit B.

Lawrence Mattox
2301 Flagler Ave
Key West, FL 33040

12. Projected/future use(s) or re-use(s) of requested property (Please be specific).

RESPONSE:

The future projected use of the Vacation Property is to be used as gated off street parking for the Applicant's Property.

13. Are there any existing easements, deed restrictions or other encumbrances attached to the subject property?

RESPONSE:

Although there are no existing easements, deed restrictions or other encumbrances which Applicant was able to discover, access to the Vacation Property by Keys Energy Services, LLC ("Keys Energy") will be necessary in order to remove and relocate the utility poles and lines in accordance with PSC Rule 25-06.0342.

14. Please describe the projected impacts of the proposed vacation on public services now and in the future.

RESPONSE:

Applicant has consulted with Keys Energy to determine what impacts may arise and how to ameliorate any projected impact. Applicant believes that the proposed Vacation will have no impact on public services now or in the future.

Keys Energy advised Applicant that within the next two years¹ the utility system and poles will be removed from the Unnamed Alley and relocated to the front of the respective properties on the 2300 block of Flagler and Staples Avenues. Attached as Exhibit "C" is a copy of Keys Energy Services' Inaccessible Electrical Facilities Phase I Program Description which

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Lawrence Mattox
2301 Flagler Ave
Key West, FL 33040

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RESPONSE:

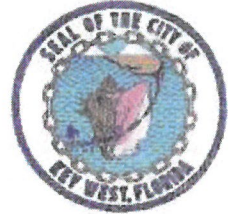
There will be few, if any, impacts on adjacent properties or land uses benefiting from a public service or system if the City grants the proposed vacation. The Unnamed Alley is not utilized by any public service or system (with the exception of utilities which are described above in response to question 14) and it is no longer a thoroughfare as a result of a previous enclosure by the owner of 2309 Flagler Avenue.

With respect to adjacent properties, Applicant has consulted with the property owner of 2310 Staples Avenue, which is the property adjacent to the rear of the Vacation Property, in order to resolve any potential impacts. With respect to the property owners of 2310 Staples Avenue, said property owners do not object to the requested vacation in favor of the Applicant.

Lawrence Mattox
2301 Flagler Ave
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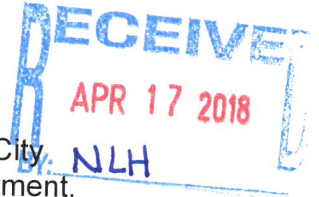
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City of Key West Planning Department
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Petition for Vacation of City Property

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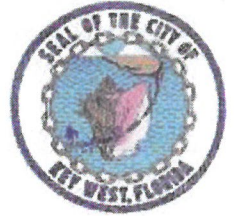
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City of Key West
Planning Department



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(Where Authorized Representative is an entity)

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(print name) *(print position; president, managing member)*
of The Smith Law Firm, a professional association
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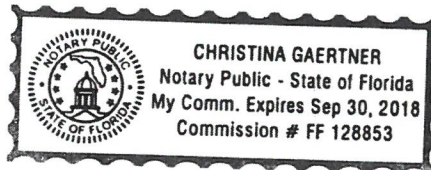
Wayne LaRue Smith
Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 7/6/17 by
Wayne LaRue Smith *date*
Name of Authorized Representative

He/She is personally known to me or has presented _____ as identification.

Christina Gaertner
Notary's Signature and Seal

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Name of Acknowledger typed, printed or stamped



Commission Number, if any

**City of Key West
Planning Department**



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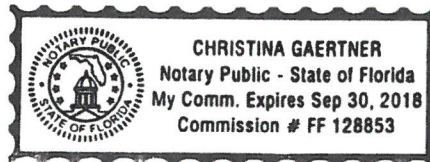
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Lawrence Mattox
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Key West, FL 33040

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Lawrence Mattox
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Lawrence Mattox
2301 Flagler Ave
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Lawrence Mattox
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Key West, FL 33040

Exhibit "A" to Appendix to Petition for Vacation of City Property

Legal Description of property subject to Application:

A parcel of land known as a portion of an alleyway located in Block 6, according to the Key West Realty Co.'s First Subdivision of Part of Tract 21, and Lots 1, 2, 3, 4, 5, Island of Key West, according to the Plat thereof, as recorded in Plat Book 1 at Page 43 of the Public Records of Monroe County, Florida, said parcel being more particularly described by metes and bounds as follows:

BEGIN at the Northwesterly corner of Lot 1, of the said Block 6 and run thence Northeasterly along the Northwesterly boundary line of the said Lot 1 for a distance of 50.00 feet to the Northeasterly corner of the said Lot 1; thence Northwesterly and at right angles for a distance of 10.00 feet to the Southeasterly corner of Lot 14, of the said Block 6; thence Southwesterly and at right angles along the Southeasterly boundary line of the said Lot 14 for a distance of 50.00 feet to the Southwesterly corner of the said Lot 14; thence Southeasterly and at right angles for a distance of 10.00 feet back to the Point of Beginning, containing 500 square feet, more or less.

Legal Description of Applicant's Property (2301 Flagler Avenue):

On the Island of Key West and known on the KEY WEST REALTY COMPANY'S SUBDIVISION of Part of Tract 21 and Salt Ponds Lots 1, 2, 3, 4 and 5, as Lot 1, Block 6, the diagram of said subdivision recorded in Plat Book 1, Page 43 of the Public Records of Monroe County, Florida.

Commencing at the NE corner of Flagler Avenue and Fifth Street, and running in an Easterly direction along Flagler Avenue Fifty (50) feet; thence at right angles in a Northerly direction One Hundred (100) feet to an alley; thence at right angles in a Westerly direction along said alley Fifty (50) feet; thence at right angles in a Southerly direction along Fifth Street One Hundred (100) feet to the Place of Beginning.

Exhibit “B” to Appendix to Petition for Vacation of City Property

Florida Public Service Commission Rule 25-6.0342

25-6.0342 Electric Infrastructure Storm Hardening.

(1) Application and Scope. This rule is intended to ensure the provision of safe, adequate, and reliable electric transmission and distribution service for operational as well as emergency purposes; require the cost-effective strengthening of critical electric infrastructure to increase the ability of transmission and distribution facilities to withstand extreme weather conditions; and reduce restoration costs and outage times to end-use customers associated with extreme weather conditions. This rule applies to all investor-owned electric utilities.

(2) Storm Hardening Plans. Each utility shall, no later than 90 days after the effective date of this rule, file with the Commission for its approval a detailed storm hardening plan. Each utility’s plan shall be updated every 3 years, unless the Commission, on its own motion or on petition by a substantially affected person or utility, initiates a proceeding to review and, if appropriate, modify the plans. In a proceeding to approve a utility’s plan, the Commission shall consider whether the utility’s plan meets the desired objectives of enhancing reliability and reducing restoration costs and outage times in a prudent, practical, and cost-effective manner to the affected parties.

(3) Contents of Plan: Each utility storm hardening plan shall contain a detailed description of the construction standards, policies, practices, and procedures employed to enhance the reliability of overhead and underground electrical transmission and distribution facilities in conformance with the provisions of this rule. Each filing shall, at a minimum, address the extent to which the utility’s storm hardening plan:

(a) Complies, at a minimum, with the National Electric Safety Code (ANSI C-2) [NESC] that is applicable pursuant to subsection 25-6.0345(2), F.A.C.

(b) Adopts the extreme wind loading standards specified by Figure 250-2(d) of the 2007 edition of the NESC for the following distribution facilities:

1. New construction;
2. Major planned work, including expansion, rebuild, or relocation of existing facilities, assigned on or after the effective date of this rule; and
3. Critical infrastructure facilities and along major thoroughfares taking into account political and geographical boundaries and other applicable operational considerations.

(c) Is designed to mitigate damage to underground and supporting overhead transmission and distribution facilities due to flooding and storm surges.

(d) Provides for the placement of new and replacement distribution facilities so as to facilitate safe and efficient access for installation and maintenance pursuant to Rule 25- 6.0341, F.A.C.

(4) Deployment Strategy: Each utility storm hardening plan shall explain the systematic approach the utility will follow to achieve the desired objectives of enhancing reliability and reducing restoration costs and outage times associated with extreme weather events. The utility’s storm hardening plan shall provide a detailed description of its deployment strategy including, but not limited to the following:

(a) A description of the facilities affected; including technical design specifications, construction standards, and construction methodologies employed.

Lawrence Mattox
2301 Flagler Ave
Key West, FL 33040

(b) The communities and areas within the utility's service area where the electric infrastructure improvements, including facilities identified by the utility as critical infrastructure and along major thoroughfares pursuant to subparagraph (3)(b)3. are to be made.

(c) The extent to which the electric infrastructure improvements involve joint use facilities on which third-party attachments exist.

(d) An estimate of the costs and benefits to the utility of making the electric infrastructure improvements, including the effect on reducing storm restoration costs and customer outages.

(e) An estimate of the costs and benefits, obtained pursuant to subsection (6) below, to third-party attachers affected by the electric infrastructure improvements, including the effect on reducing storm restoration costs and customer outages realized by the third-party attachers.

(5) Attachment Standards and Procedures: As part of its storm hardening plan, each utility shall maintain written safety, reliability, pole loading capacity, and engineering standards and procedures for attachments by others to the utility's electric transmission and distribution poles (Attachment Standards and Procedures). The Attachment Standards and Procedures shall meet or exceed the edition of the National Electrical Safety Code (ANSI C-2) that is applicable pursuant to Rule 25-6.034, F.A.C. so as to assure, as far as is reasonably practicable, that third-party facilities attached to electric transmission and distribution poles do not impair electric safety, adequacy, or pole reliability; do not exceed pole loading capacity; and are constructed, installed, maintained, and operated in accordance with generally accepted engineering practices for the utility's service territory.

(6) Input from Third-Party Attachers: In establishing its storm hardening plan and Attachment Standards and Procedures, or when updating or modifying such plan or Attachment Standards and Procedures, each utility shall seek input from and attempt in good faith to accommodate concerns raised by other entities with existing agreements to share the use of its electric facilities. Any third-party attacher that wishes to provide input under this subsection shall provide the utility contact information for the person designated to receive communications from the utility.

(7) Dispute Resolution: Any dispute or challenge to a utility's storm hardening plan, construction standards, deployment strategy, Attachment Standards and Procedures, or any projects implementing any of the above by a customer, applicant for service, or attaching entity shall be resolved by the Commission.

(8) Nothing in this rule is intended to conflict with Title 47, United States Code, Section 224, relating to Federal Communications Commission jurisdiction over pole attachments.

Rulemaking Authority 350.127(2), 366.05(1) FS. Law Implemented 366.04(2)(c), (5), (6), 366.05(1) FS. History—New 2-1-07.

Lawrence Mattox
2301 Flagler Ave
Key West, FL 33040

**Exhibit "C" to Appendix to
Petition for Vacation of City Property**



Inaccessible Electrical Facilities Phase I

Executive Summary

Florida Public Service Commission

In 2006 following the 2004 and 2005 hurricane seasons that were damaging to electrical systems throughout Florida, the Florida Public Service Commission passed Order #25-06.0342 which "requires the cost-effective strengthening of critical electric infrastructure to increase the ability of transmission and distribution facilities to withstand extreme weather conditions, and reduce restoration costs and outage times to end-use customers associated with extreme weather conditions."

The PSC also adopted a companion Order 25-6.0341 which states "in order to facilitate safe and efficient access for installation and maintenance, to the extent feasible, and cost-effective, electric distribution facilities shall be placed adjacent to a public road, normally in front of the customers' premises."

KEYS Response

As a result of PSC Order#25-06.0342, KEYS has undertaken a multi-year program to respond to the PSC Order which has included testing all poles; replacing all poles identified as deficient; changing our construction standards; and fortifying infrastructure designated as critical (feeder to hospital). Additionally, in order to comply with Order 25-6.0341, KEYS staff has been developing a plan to address facilities that are in inaccessible locations in order to comply with PSC orders and to further have a strong, reliable system. The Utility Board participated in a workshop on the subject on August 23, 2011 in order to better understand the scope of the project and the impacts on customers. Based on input from the Utility Board and continued analysis, KEYS staff has determined that inaccessible facilities should be divided into two categories – those that support primary lines and those that support secondary lines.

Program Description

Phase I will address inaccessible facilities that support primary lines and will be addressed over a 36-month period from the time the plan is approved. The primary facilities have been organized into 13 distinct circuits and staff developed the plan by prioritizing the circuits based on reliability criteria. In total, approximately 122 poles will be installed and this will affect up to 163 customer risers. KEYS' Engineering Department will complete all design work and it is anticipated that all construction work will be completed by KEYS' Transmission and Distribution crews. The total cost for constructing the new lines and removing the old lines is estimated at \$1,036,614.

KEYS' Engineering Department will work closely with the affected customers to help them identify a solution. KEYS (or a contractor TBD) will either set a customer pole, which the customer will assume ownership of, so the customer can continue to use the existing meter center/riser OR KEYS will reimburse the customer up to \$2,100 of the costs associated with hiring an electrician to modify the meter center/riser (relocate or extend) so it can receive power from the new lines. The rebate for condominium/apartment buildings will be based on the number of meters; (for example if 4 meters then KEYS will pay $4 \times \$2,100 = \$8,400$). This cost estimated cost for all riser relocates is estimated to be \$352,871.

Coordination

KEYS will work closely with the City of Key West throughout the project on a variety of issues including: ADA Compliance, Customer Coordination, Tree Trimming, and Street Lights. Additionally, KEYS will work with AT&T and Comcast to urge these telecommunications companies to move expeditiously.

KEYS' Engineering Field Representatives will meet with each customer to help establish a solution that best meets the customer's and KEYS' needs.

Inaccessible
Electrical Facilities
Phase I

Program Description

Program Description - General

In order to comply with the Florida Public Service Commission's Order 25-6.0341 which states "in order to facilitate safe and efficient access for installation and maintenance, to the extent feasible, and cost-effective, electric distribution facilities shall be placed adjacent to a public road, normally in front of the customers' premises," KEYS has developed a program with a long-term goal of constructing all electrical facilities adjacent to public roads and removing all facilities that are currently in inaccessible locations.

Step #1 - All future design work will ensure that new construction occurs adjacent to public roads. KEYS staff will work with developers, City staff and County staff regarding future construction and will not allow the construction of any facilities in rear or side lot lines whether easements or rights-of-way.

Step #2 - Over a three-year program KEYS will relocate all primary facilities that are currently in inaccessible locations and will coordinate efforts with the customer, AT&T and Comcast to ensure existing facilities are ready for timely removal. This is referred to as "Phase I."

Step #3 - KEYS will develop a multi-year program to relocate all secondary facilities that are currently in inaccessible locations in Key West and will coordinate efforts with the customer, AT&T and Comcast to ensure existing facilities are ready for timely removal. Although Stadium Trailer Park has some primary inaccessible facilities, this area will be considered as part of this phase. The program will be presented to the Utility Board for approval prior to implementation. This is referred to as "Phase II" but may be completed in multiple phases.

Advance Work

In advance of the program being fully developed, KEYS engineering field representatives will work with homeowners and electricians who are doing voluntary upgrades to ensure that placement of risers and meter centers will accommodate future relocation plans.

Reject Poles

Dealing with Reject Poles - In 2006, KEYS hired Osmose to survey all distribution poles in KEYS' service area to identify weak poles in need of replacement. Ninety-seven poles in inaccessible locations were identified as "reject poles." KEYS has stabilized 27 of these poles with a truss and bracing solution. The remaining poles will be replaced by KEYS and the telecommunications companies crews. Another survey will be conducted in 2014, and poles that are identified as "reject" poles will be handled in a similar fashion.

Program Description - Phase I

Over a three-year program KEYS will relocate all primary facilities that are currently in inaccessible locations and will coordinate efforts with the customer, AT&T and Comcast to ensure existing facilities are ready for timely removal.

Electrical Summary

- Divide High Voltage Lines into 13 distinct circuits
- Develop detailed reliability criteria and ranked circuits to assist in priorities (see Exhibit 6 in Program Details Section)
- Develop three-year construction relocation plan for High Voltage Lines

Details

<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Poles – 26	Poles – 63	Poles – 33
Riser – 36	Risers – 91	Risers – 36
*Cost - \$174,000	*Cost - \$566,100	*Cost - \$296,514

*These costs represent the capital cost of building new facilities along public roadways. They do not include the O&M costs associated with customer assistance.

Design and Construction Resources

- Project Design – KEYS staff
- High Voltage Distribution Construction – KEYS crews
- Riser NEC code corrections
 - Customer Tap Pole option – KEYS crews
 - Riser Modifications – Local Licensed Electrician

Riser Compliance

KEYS has identified 163 risers that cannot be served from the new pole line constructed adjacent to the public road. KEYS can offer the customer one of three solutions with estimated costs of:

1) Install a Tap Pole on the customer property	\$2,100
2) *Modify Riser	
a) to side of house	\$2,800
b) Riser extension in existing location	\$2,000

*Modify Riser is the preferred option as it will avoid future pole maintenance by the customer and is aesthetically more pleasing.

See Exhibit 8 Determination of Tap Pole Cost

AT&T and Comcast

KEYS will coordinate with AT&T and Comcast on project goals and schedule in an effort to have these third party attachments relocated in a timely manner.

As necessary, KEYS will ask the City of Key West to send letters urging the telecommunications providers to move expediently.

Inaccessible
Electrical Facilities
Phase I

Customer Assistance
Program

Customer Assistance Inaccessible Facilities Project – Phase I

In order to meet the Florida Public Service Commission Storm Hardening Orders – and specifically Order #25-06.0341 which states, “in order to facilitate safe and efficient access for installation and maintenance, to extent feasible and cost-effective, electric distribution facilities shall be placed adjacent to a public road, normally in front of the customer’s premises,” KEYS has developed the Inaccessible Facility Project – Phase I. Phase I specifically works to relocate inaccessible primary facilities to public roads. KEYS’ goal is to not only construct accessible facilities, but also to remove the old, inaccessible facilities as soon as possible so that KEYS doesn’t have the continuing maintenance costs and so that customers don’t have unsightly facilities. Please note, this last initiative is dependent upon the telecommunication companies removing their services.

In Phase I, a total of 85 poles affecting 163 customers will ultimately be removed and replaced with 122 new poles installed along public roadways. As a result of the facilities being moved to the public road, customers may need to relocate their risers and meter centers to accommodate the move. Recognizing that this relocation may create a financial burden on KEYS customers, KEYS has developed a plan to minimize this burden on customers.

Option 1 – Customer Owned Pole

For customers who do not wish to incur any costs, KEYS crews will set a customer pole so that the service drop can utilize the existing riser/meter center. The responsibility of setting the pole and transferring service to the pole will be KEYS responsibility (customer will be required to provide underground clearance for KEYS to set the pole). The customer will be required to assume ownership of this pole. If there is any damage to this pole in the future, for example: normal wear and tear or hurricane damage, it will be the customers full responsibility to replace, repair or remove the pole.

*Option 2 – Modify Riser/Meter Center (Riser Extension)

For customers who prefer to avoid having a pole set on their property (and the ongoing responsibility of said pole), KEYS will provide a rebate per riser on the electrical work required to move the riser/meter center. Customers will be required to provide three quotes from licensed electricians and KEYS will provide a rebate in the amount of the lowest quote. The customer can select whichever licensed electrician they wish, but the rebate will be based upon the lowest quote provided up to but not exceeding \$2,100 (the estimated cost associated with setting a customer pole). The rebate for condominium/apartment buildings will be based on the number of meters; (for example if 4 meters then KEYS will pay $4 \times \$2,100 = \$8,400$). The rebate will be issued to the customer in a check at the time KEYS is provided final inspection by the City. In order to qualify for the rebate, work must be completed by a licensed electrician. KEYS will not provide rebates for work done as an owner/builder.

Within six months after the customer has met with KEYS’ Field Representative to discuss possible solutions, the customer should decide between option 1 or option 2. If the customer has not signed an agreement to take ownership of their new customer pole or has not had an electrician complete the work, KEYS reserves the right to disconnect service until customer takes action.

*Modify Riser is the preferred option as it will avoid future pole maintenance by the customer and will be aesthetically more pleasing.

Service Fee Waiver

Typically, KEYS charges customers a Service fee when a service disconnect is performed. This is typically done at the customers' or their electrician's request when they are performing an upgrade of the customers' own internal wiring/panel/meter center. For connects/disconnects that are specifically related to this project, the Utility Board authorizes staff to waive such fees. Fees are set forth in KEYS miscellaneous charges tariff - currently such charges are \$140-\$280.

Collaboration with Customer

The Engineering Field Representatives will meet with each affected customer in order to identify the customer's needs and to custom design a solution that best meets the customer's and KEYS' needs. This plan anticipates that Engineering Field Representatives may have to meet with customers during the evenings or weekends. All design alternatives within NEC & NESC requirements will be considered to make the process as simple and inexpensive as possible for customers. The Engineering Field Representatives will provide each customer with a meter location form indicating a recommended solution that the customer can then provide to their electrician. Additionally, the Engineering Field Representatives will meet with the customer and electrician upon request.

KEYS reviewed the existing accounts and determined that 94% of the accounts are currently active. The remaining 6% of accounts that are inactive may require additional coordination efforts since some of these may be bank owned. (see Exhibit 9)

Transfer of Ownership for Customer Utility Pole

In order to comply with the Florida Public Service Commission's Order 25-6.0341 which states "in order to facilitate safe and efficient access for installation and maintenance, to the extent feasible, and cost-effective, electric distribution facilities shall be placed adjacent to a public road, normally in front of the customers' premises," KEYS has developed a program often referred to as the "Storm Hardening Project" with a long-term goal of constructing all electrical facilities adjacent to public roads and removing all facilities that are currently in inaccessible locations.

Electrical service for _____ (property address/property description) _____ has been connected to KEYS infrastructure via a pole that is in an inaccessible location to KEYS crews. As part of KEYS' storm hardening project, the electrical service for this property has been upgraded and moved to the front of the property along the public roadway. It is therefore agree between KEYS and customer as follows:

I, _____ (property owner's name) _____, have elected to leave my electrical facilities (weatherhead/riser/meter center) in their current location instead of moving them so they can connect directly with the new facilities along the public roadway. In order to continue electrical service, I have decided to have KEYS install a secondary wood tap pole on my property.

I, _____ (property owner's name) _____, acknowledge that I will own and be fully responsible for this secondary tap pole upon installation. I will be responsible for maintenance, for upkeep, for repairs and for replacement. I further acknowledge that KEYS shall not have any liability in negligence of tort with respect to the secondary wood tap pole and KEYS shall not be liable for consequential or special damages under any circumstances.

SIGNED: _____
For customer

SIGNED: _____
For KEYS

DATE: _____

DATE: _____

PRINT NAME: _____

PRINT NAME: _____

ADDRESS: _____

ADDRESS: _____

PHONE #: _____

PHONE #: _____

Witness: _____
Address: _____

Inaccessible Electrical Facilities Phase I

Coordination

City of Key West Coordination
Inaccessible Facilities Project – Phase I

In order for the inaccessible facilities project to succeed, KEYS will have to have a high level of support and coordination with the City of Key West.

- Meet with City of Key West electrical inspector for clarification (has happened)
- Request meeting with key City staff to discuss plan and request coordination (see attached letter)
- Request City Commission support in form of Resolution (See attached)
- Submit plan to City for adequate coordination with City's other projects
- Work closely with City on ADA (American with Disabilities Act) and sidewalk clearance conflicts
- Coordinate closely with City to minimize customer financial impacts (ongoing)
- Work with CITY on customer complaints on Public Right of Ways as a result of the proposed pole location/design
- Minimize tree trimming impacts on public right-of-ways
- Work with City on street light adjustments due to new pole line in front of Right of Ways
- Work with City to encourage the telecommunications companies to expedite relocating their facilities.

City of Key West Coordination Customer Riser and NEC Code compliance
Inaccessible Facilities Project – Phase I

In an effort to fully understand the riser relocation options, KEYS consulted with the City of Key West building officials

KEYS was pleased with the discussion outcomes and the available options:

NEC code clarifications

Clarified NESC and NEC code conflicts.

Resolved that NESC will rule for riser clearances

Riser Extensions

City will allow riser upgrades to 5' above roof line

Riser conduit to be 2.5 rigid

No guy required

Will allow 3' vertical clearance over flat roof for "drip loop"

Riser Clarifications

Electrical upgrades required beyond riser relocations by City

No Customer panel upgrade needed if no additional KW load is added

Permits, Inspections and Fees

Contractor must be licensed in City.

Permit fees are applicable

Inspections and issues to be quickly resolved b/w KEYS and CITY

City – 1

Jim Scholl
City Manager
City of Key West
PO Box 1409
Key West, FL 33040

Dear Mr. Scholl,

KEYS has continued working on and refining our plans for removing inaccessible electric facilities as part of our storm hardening project. I would like to have the opportunity to meet with our liaison, Commissioner Yaniz, you and key staff members including the City Attorney to share our plans with you and also to seek your continued support on this project.

Since our last meeting July 12th, KEYS' staff has met with the Utility Board and received valuable input from them. We have revised our plans, so we are now focusing our initial efforts on inaccessible facilities that only have primary high voltage lines since primary tends to impact the largest number of customers. We have developed a customer assistance program, a communications plan and a multiyear budget. I have enclosed this information as background for you.

KEYS is seeking support from the City on several issues that I would like to discuss with you. Those areas include primarily how inspections of customer upgrades are handled and consideration for waiving permit fees for electrical work associated with this project. I have drafted a possible Resolution for the City Commission to formalize the City's support. I hope that this draft can serve as a starting point for our discussion.

I look forward to the opportunity to discuss these plans with you, we'll call to set up an appointment.

RESOLUTION NO.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY KEY WEST, FLORIDA, SUPPORTING KEYS ENERGY SERVICES EFFORTS TO REMOVE ELECTRICAL FACILITIES FROM INACCESSIBLE LOCATIONS; WAIVING CITY PERMIT FEES ASSOCIATED WITH RELOCATING RISERS AND METER CENTERS AS A DIRECT RESULT OF THIS PROJECT; DIRECTING THE ELECTRICAL INSPECTOR TO FACILITATE CUSTOMER UPGRADES

WHEREAS, the Utility Board of the City of Key West, Florida d/b/a/ Keys Energy Services is the utility that provides electrical service in the City of Key West and the Lower Florida Keys, and

WHEREAS, Keys Energy Services has a distribution reliability record that is superior to municipal and investor-owned utilities in Florida with customers experiencing on average 10 percent fewer distribution outage minutes than other municipal utilities in the state, and is committed to further improving electrical reliability to all its customers, and

WHEREAS, the Florida Public Service Commission (FPSC) passed Order #25-06.0342 which specifically, "require the cost-effective strengthening of critical electric infrastructure to increase the ability of transmission and distribution facilities to withstand extreme weather conditions; and reduce restoration costs and outage times to end-use customers with extreme weather conditions, and

WHEREAS, the Florida Public Service Commission (FPSC) also passed Order #25-06.0341 specifically stating, "in order to facilitate safe and efficient access for installation and maintenance, to extent feasible and cost-effective, electric distribution facilities shall be placed adjacent to a public road, normally in front of the customer's premises," and

WHEREAS, Keys Energy Services has already replaced approximately 2,300 wooden poles with storm hardened concrete poles and has identified 615 wood poles in the City of Key West that are in the rear of customers' properties with 425 of these poles are inaccessible due to being occupied with customers' structures, pools, fences, and vegetation, and

WHEREAS, these obstructions in easements and rights-of-ways have created accessibility issues making it difficult for Keys Energy Services to perform safe maintenance and replacement of such poles, and

WHEREAS, the Utility Board has approved a plan to replace an estimated 83 of these inaccessible poles that carry primary high voltage distribution lines over the next three years and help customers who are affected by this replacement.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Key West, Florida, as follows:

Section 1. The City Commission of the City of Key West, Florida supports the Utility Board in its efforts to fortify the electrical system with storm hardened poles and with replacing facilities in accessible locations to locations adjacent to public roads.

Section 2. The Commission of the City of Key West endorses the plan adopted by the Utility Board during their January 11, 2012 regular meeting, which creates a 36-month program to construct primary lines along public roads; requires affected property owners to either modify/extend their riser/meter center or accept ownership of a tap pole; and provides for rebates to offset the cost customers may incur hiring a licensed electrician.

Section 3. The City Commission of the City of Key West hereby waives the cost of permitting the electrical work associated with specifically relocating or extending risers and meter centers as a result of this project over the next three years.

Section 4. The City Commission of the City of Key West endorses an approach by the City's electrical inspector that allows for:

- o Requiring customer or his/her designee to follow normal permitting process for all work associated with this project
- o Not requiring customers to upgrade their electrical panels (or anything past the meter on the condition that no load is added)
- o Replacing risers located in the rear of the property up to five feet above the roof line on the condition that this type of location meets the three foot clearance above the entire roof that NESC requires for service drops.
- o Utilizing a vertical three foot drip loop clearance on the condition that this type of solution meets the three foot clearance above the entire roof that NESC requires.

Section 5. The City Commission of the City of Key West also supports City staff lobbying Comcast and AT&T to expedite the removal of their facilities as well.

Passed and adopted by the Commission at a meeting held this day of 2012.

Authenticated by the presiding officer and Clerk of the Commission on xxx2012

Filed with the Clerk.... , 2012.

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK

Telecommunications Coordination
Inaccessible Facilities Project – Phase I

KEYS will also have to coordinate closely with AT&T and Comcast.

KEYS plans to:

Meet with AT&T and Comcast to present plan overview in an effort for them to budget and plan accordingly;

Encourage AT&T and Comcast to transfer in a timely manner to reduce customer complaints;

And keep City informed of the project so the City can encourage the telecommunications company to affect timely transfers from Public Right-of-Ways.

Licensed Electrician Coordination
Inaccessible Facilities Project – Phase I

In an effort to make the process as simple as possible for KEYS customers, KEYS will hold workshops with licensed electricians.

All licensed electricians in Key West and Monroe County will be invited.

The Meeting's Agenda will include:

- 1) Overview of the Inaccessible Facilities Project
- 2) Discussion on Goals - Keep As Simple and Inexpensive As Possible for Customers
- 3) Discussion on Engineering Field Representatives providing Meter Location Forms to Customers
- 4) Review of Rebate Program
 - a. A minimum of three quotes
 - b. Timing of payments to customer and thus to electrician

KEYS will provide a list of those licensed electricians who participated in the workshop to customer upon request.

Inaccessible
Electrical Facilities
Phase I

Communications Plan

Keys Energy Services
Relocation of Electrical Facilities Frequently Asked Questions

BACKGROUND

As a result of two active hurricane seasons (2004 and 2005), the Florida Public Service Commission (FPSC) has recognized how customers have been adversely impacted from storm damaged electrical facilities. While KEYS customers have been extremely fortunate with post-storm restorations, the FPSC developed and passed orders requiring utilities to test the integrity of their electrical infrastructures and to "Storm Harden" their system for new and replacement facilities.

In addition to hardening the system, KEYS and other local utilities (AT&T and Comcast) have been dealing with the issue of facilities in public right-of-ways (ROWS) and easements where customer structures, pools, fences, and vegetation have made these facilities inaccessible for utilities to perform safe and efficient operations.

In order for KEYS to conform to FPSC orders, the Utility Board approved on January 11, 2012 a [Plan to Address Inaccessible Facilities - Phase I](#). This Plan will specifically address relocating high voltage lines that are currently behind your home to the front of your property.

FACILITIES

Question: What do I have to do to my property?

Answer: KEYS will arrange for one of our Engineering Field Representatives to visit your property and collaborate with you and your electrician to determine a solution that is best for you and KEYS.

Question: I thought KEYS owned the lines all the way into my house?

Answer: KEYS owns the service drop to the house. The homeowner owns the weather head, riser, and meter can. (see attached photo for more clarification)

Question: Are poles going in front of my house? Driveway?

Answer: Final site plans have yet to be drafted/developed, but KEYS will work with homeowners to ensure that new power poles do not block driveways. KEYS design will make every effort to make sure new poles are sited along the property lines rather than in-front of homes.

Question: Is the pole going to be a large pole? Will it be concrete or wood?

Answer: All new and/or replacement poles will be concrete. The size of the pole will be dependent on the individual needs of the home/neighborhood. As plans are developed more information will be known. Currently, the poles can range anywhere from 30 feet to 45 Feet in height. A typical pole will have a foot print size up to 16" x 16".

Question: There are already power poles in front of my house, are you placing more poles out front, or replacing them?

Answer: Depending on the final plan, KEYS will most likely replace the poles that are currently there in order to ensure their reliability and allow for the safe installation of electrical facilities.

Question: There are poles across the street, do I still need a pole in front of my house?

Answer: Depending on the final plan, poles may be needed on both sides of the street to accommodate upgraded electrical facilities. This depends on the width of the street and the customer's riser location.

Question: What about the tall trees in front of my house, are you going to trim/remove them?

Answer: Depending on the final plan and accessibility, it may be necessary to have the trees trimmed and/or removed. The location of the tree will determine who would be responsible for its pruning/removal. Trees in the Right-of-Way would be removed or trimmed by KEYS, trees on private property may be the responsibility of the homeowner.

Question: How come KEYS does not install electrical lines underground?

Answer: Converting utilities underground is extremely costly both to utilities and homeowners. While the reliability of such lines is greater than overhead lines, restoration times are longer because electrical faults are not immediately visible and accessible. Additionally, the use of underground facilities requires that customers "site transformers" on their property (rather than on overhead poles) and most customers are not willing to part with valuable property space for such equipment. Also, customers will have to pay approximately \$8,000 to install underground secondary lines from the transformer to their home. Similar work would also need to be agreed upon with AT&T and Comcast – such costs are unknown.

Question: Who will coordinate this work?

Answer: KEYS will coordinate this project, however, it will be the responsibility of the homeowner to work with a private electrical contractor to make necessary changes/upgrades to equipment (riser/meter center) that does not fall under the purview of KEYS. KEYS will make contact with each homeowner in order to explain all options and to discuss our customer assistance program.

TIMING

Question: When will work commence?

Answer: After the decision to relocate facilities to the front is made, KEYS hopes to have all work completed within the next four years. Please note that typically work will be block-by-block lasting approximately up to 6 weeks with minimal traffic or electrical service disruptions.

Question: When should I contact my electrician?

Answer: KEYS will notify all affected customers as the project proceeds as to what will be required from you and appropriate time frames. Customers should wait to contact their electricians until they have heard from KEYS on the details of the upgrades that KEYS has specifically recommended.

Question: When is all this going to happen?

Answer: Over the next one to three years. KEYS will be prioritizing the work and moving through the neighborhoods. For details on the anticipated time for your block, please contact Engineering.

FINANCIAL IMPACT

Question: How much will this cost?

Answer: Customers may have to hire a licensed electrical contractor if it necessary for a homeowner to relocate or raise their weather head/riser. This could cost anywhere from \$2,000 to \$2,800. Please note these are estimates that will be charged by an electrician not KEYS. If the customer has additional work or if the customer's meter center is particularly old or in a difficult location, this cost could vary significantly.

Question: Who is going to pay? Who do I pay?

Answer: Customers will be responsible for all upgrades to their meter center and will have to work with, and pay, a licensed electrical contractor to make the necessary repairs. However, KEYS will be offering rebates in the amount of up to \$2,100 to help offset or cover the costs. The rebate for condominium/apartment buildings will based on the number meters; (for example if 4 meters then KEYS will pay $4 \times \$2,100 = \$8,400$). The rebate will be provided in a separate check to the customer.

Question: Are my electric bills going to increase as a result of this project?

Answer: No. KEYS does not anticipate an increase to customer electric bills as a result of this project.

Question: Can KEYS add the cost of this project to my electric bill?

Answer: No. KEYS can only bill for services it provides, any work performed by a private electrical contractor will have to be billed separately by them. KEYS will however, provide a rebate of up to \$2,100 to help offset or cover the costs.

Question: I don't have the money to do this now, what am I supposed to do?

Answer: KEYS will offer rebates to help offset costs for this project. Additionally, KEYS can set a customer pole at no cost to you that will enable you to maintain your current meter center/riser. This pole will become yours and you will be responsibility for future maintenance, upgrades or replacement.

Question: If KEYS indicates that the appropriate solution for me is to extend my riser, can I opt to pay the additional costs to move the meter center and riser to the side of my house?

Answer: Yes

RESPONSIBILITY

Question: It was like this when I bought the property, why should I have to fix it?

Answer: The Florida Public Service Commission passed new regulations in order to make the electrical infrastructure throughout the entire state more storm ready. Regardless of what the property was like when you purchased it, all affected properties must be storm hardened in preparation of future hurricanes.

Question: Why should I have to pay?

Answer: You are not being asked to pay for the relocation of KEYS electrical facilities – only of your own facilities. However, keep in mind that KEYS will be helping by offering rebates to help offset or cover the majority of costs.

Question: Why should I pay if my section of easement is not affected?

Answer: As long as electrical facilities are inaccessible to KEYS in your neighborhood, your reliability could be affected. While your pole specifically may be accessible - the next pole may not be and unfortunately, this project cannot be pole by pole but rather must be for an entire pole line.

Question: How come you are not making my neighbor pay, they are the ones that took over the easement?

Answer: Each customer will have to be responsible for the costs of getting power from our facilities into their home.

MISCELLANEOUS

Question: Can KEYS come to my house to show and explain to me what the problem is and what I have to do?

Answer: KEYS would be pleased to set up an appointment with you, simply contact KEYS Engineering at 305-295-1042

Question: The roadway behind my house is clear, why does this project still impact me?

Answer: While your block may be in compliance, your entire neighborhood may not. KEYS, AT&T, and Comcast cannot zig-zag utility poles/lines in order to accommodate compliant and non-compliant properties.

Question: If the poles are moved from the back, does this mean I can build on the easement or "Right-of-Way"?

Answer: All questions concerning property should be referred to the City of Key West. If the poles are relocated to the front of homes, KEYS will have no need for the easement and will process any paperwork to relinquish them.

Question: If KEYS moved the electric from back to front, what about Comcast and AT&T?

Answer: KEYS is working with Comcast and AT&T to encourage them to relocate to the new poles in a timely manner. KEYS and the City of Key West cannot legally require them to move, but we are aggressively working with them.

Question: What if I do not understand these questions and answers? Can KEYS help?

Answer: Absolutely. A KEYS representative will to meet "one on one" with homeowners to explain the project and options.

Question: I have a street light on a pole near my house, will that stay?

Answer: KEYS is working with the City of Key West to reinstall new lighting on the new poles out front. The ultimate decision on light placement is made by the City.

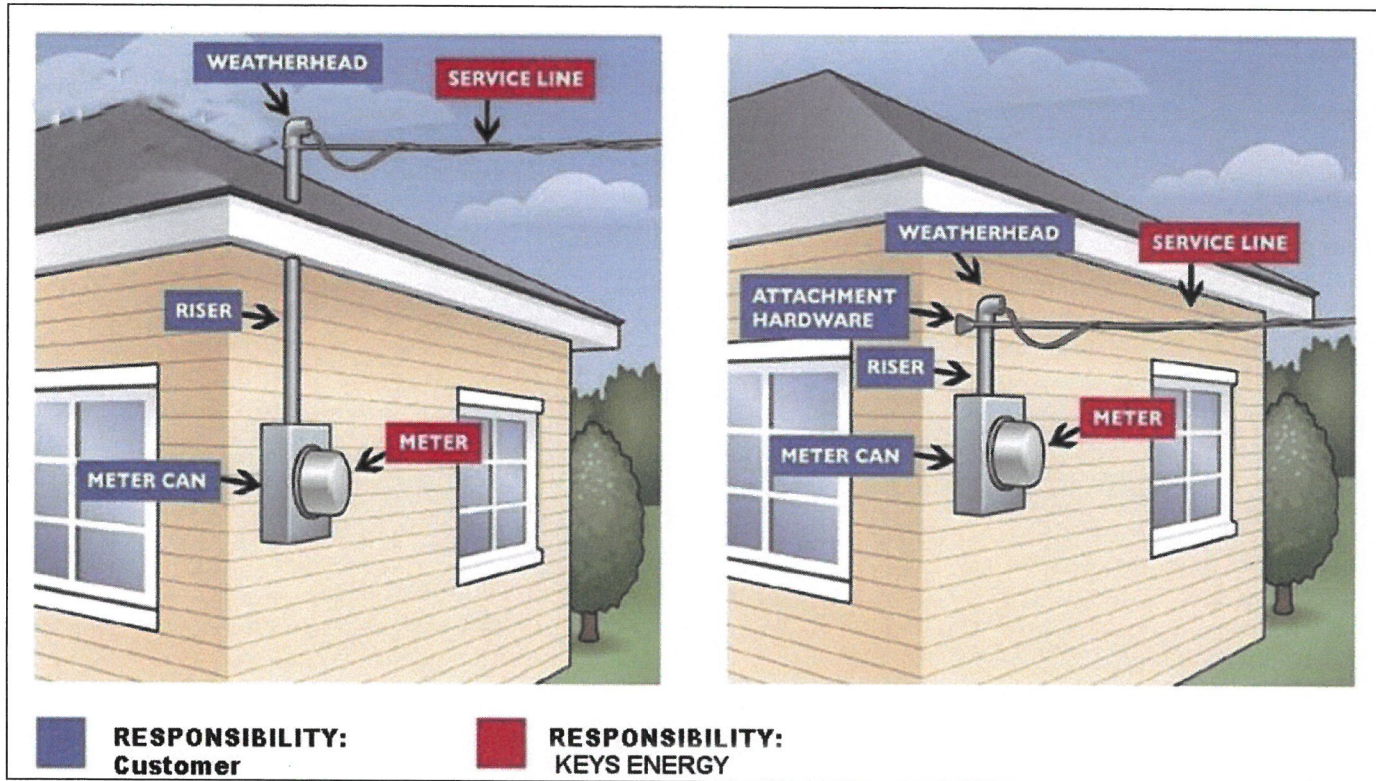
Question: I have a sidewalk in front of my house. How will the new poles affect the sidewalk and ADA (accessibility) around the pole?

Answer: KEYS and the City of Key West are working very closely on the design and pole locations in order to maintain code clearances in accordance with all Local and Federal Laws.

Please see attached diagram to understand some of the terminology used in these Questions and Answers



METER CENTER RESPONSIBILITIES





(305) 295-1000
1001 James Street
PO Box 6100
Key West, FL 33040-6100
www.KeysEnergy.com

UTILITY BOARD OF THE CITY OF KEY WEST

Sample Letter to the Customer – with Riser issue
Inaccessible Facilities Project – Phase I

DATE

ADDRESS BLOCK

Dear NAME:

Keys Energy Services (KEYS) is undertaking a major reliability improvement project that may affect you. This project is driven by KEYS' goals to maintain high levels of reliability and by Florida Public Service Commission (FPSC) requirements that all utilities in the State "storm harden" their facilities to reduce down time following a hurricane. In order to meet our goals and FPSC requirements, Keys Energy Services (KEYS) is in the midst of a multi-year project to relocate electrical facilities from inaccessible easements and rights-of-way.

KEYS has developed a multi-year program within the City of Key West to perform the relocation of the old poles behind your residence with a new concrete pole in the front of homes in your area.

In addressing the issue of inaccessible facilities, the way your home's meter center is fed will need to be reviewed and possibly changed. In the coming weeks, we will be in touch with you to discuss existing issues with your meter center and the necessary upgrades you may need to complete. We will be able to discuss options and potential costs with you on site. These costs will vary depending on your unique circumstances. The good news is that the Utility Board is offering a rebate to offset most or in some cases, all of the cost you may incur. Additionally, we will work with you to give you a reasonable amount of time with which to comply given current economic conditions.

A KEYS representative from our Engineering Department will be contacting you prior to KEYS' performing any work. We are willing to meet with you to fully explain the project. I have also attached a FAQ's (Frequently Asked Questions) that will answer a majority of your questions.

In the meantime, if you have an immediate concern or additional questions, please do not hesitate to contact KEYS at (305)295-1043.

Sincerely,

Dale Finigan
Director of Engineering & Control
Dale.Finigan@KeysEnergy.com

DF/mpd



(305) 295-1000
1001 James Street
PO Box 6100
Key West, FL 33040-6100
www.KeysEnergy.com

UTILITY BOARD OF THE CITY OF KEY WEST

Sample Letter to the Customer – with No Riser issue
Inaccessible Facilities Project – Phase I

DATE

ADDRESS BLOCK

Dear NAME:

Keys Energy Services (KEYS) is undertaking a major reliability improvement project that may affect you as you travel to and from your home. This project is driven by KEYS' goals to maintain high levels of reliability and by Florida Public Service Commission requirements that all utilities in the State "storm harden" their facilities to reduce down time following a hurricane. In order to meet our goals and FPSC requirements, Keys Energy Services (KEYS) is in the midst of a multi-year project to relocate electrical facilities from inaccessible easements and right-of-ways.

KEYS has developed a multi-year program within the City of Key West to perform the relocation of the old poles behind your residence with a new concrete pole in the front of your home. While your residence will not be directly impacted, and we will do everything possible to site poles along property lines, you will see design and work crews in your neighborhood over the course of the coming weeks as this project is completed.

I have attached a FAQ's (Frequently Asked Questions) that will answer a majority of your questions regarding the project and the pole relocations in your area. If you have any concerns or questions, please do not hesitate to contact KEYS at (305)295-1043.

Sincerely,

Dale Finigan
Director of Engineering & Control
Dale.Finigan@KeysEnergy.com

DF/mpd



(305) 295-1000
1001 James Street
PO Box 6100
Key West, FL 33040-6100
www.KeysEnergy.com

UTILITY BOARD OF THE CITY OF KEY WEST

Sample Letter to the Title Companies & Realtors
Inaccessible Facilities Project – Phase I

DATE

ADDRESS BLOCK

Dear NAME:

Keys Energy Services (KEYS) is undertaking a major reliability improvement project that may impact properties under your purview. This project is driven by KEYS' goals to maintain high levels of reliability and by Florida Public Service Commission requirements that all utilities in the State "storm harden" their facilities to reduce down time following a hurricane. In order to meet our goals and FPSC requirements, Keys Energy Services (KEYS) is in the midst of a multi-year project to relocate electrical facilities from inaccessible easements and right-of-ways.

KEYS has developed a multi-year program within the City of Key West to perform the relocation of the old poles from behind homes and easements with a new concrete pole in the front. KEYS will be working with all affected customers directly to address their individual issues and to find solutions for potential impacts to their property once the poles are relocated.

I have attached a construction schedule so that you can see the neighborhoods that will be impacted as well as FAQ's (Frequently Asked Questions) that will answer a majority of your questions regarding the project. If you have any concerns or questions, please do not hesitate to contact KEYS at (305)295-1043.

Sincerely,

Dale Finigan
Director of Engineering & Control
Dale.Finigan@KeysEnergy.com

DF/mpd

Inaccessible Electrical Facilities Phase I

Budget

Inaccessible Electrical Facilities Phase I

Background

Background
What's in this Section

Exhibit 1	FPSC Language
Exhibit 2	Terminology
Exhibit 3	KEYS' History
Exhibit 4	Map of all Affected Facilities
Exhibit 5	Detailed Technical Data Table
Exhibit 6	Ranking and Evaluation Criteria
Exhibit 7	Riser Examples
Exhibit 8	Cost of Customer Pole and Rebate Determination Table
Exhibit 9	Customer Profile Table
Exhibit 10	PSC Mandates – Does KEYS have to Comply
Exhibit 11	What are other Utilities Doing

Lawrence Mattox
2301 Flagler Ave
Key West, FL 33040

Exhibit "D" to Appendix to
Petition for Vacation of City Property

This instrument prepared by:
Brett Tyler Smith, Esq.
The Smith Law Firm
509 Whitehead Street
Key West, Florida 33040

(Space reserved for recording)

UTILITY EASEMENT AGREEMENT

THIS UTILITY EASEMENT AGREEMENT is made on _____, 2016, by and between Lawrence R. Mattox (“Grantor”) and Keys Energy Services, LLC, a Florida limited liability company (“Grantee”).

Grantor warrants that Grantor is the fee owner of certain real estate situated in the City of Key West, County of Monroe, State of Florida, which is legally described below and referred to hereinafter as the “easement premises”; and

Grantor hereto has determined that it is in Grantor’s best interests for Grantor to grant the Grantee an easement in and along the easement premises for utility purposes:

Therefore, in consideration of the foregoing:

1. Grantor hereby grants and conveys to Grantee a perpetual utility easement (which can be over, under and across the easement premises), including the right to ingress and egress to the easement, for construction, reconstruction, alteration, maintenance and repair (to the extent the Grantee considers desirable) of pipes and other necessary or desirable appurtenances to and/or for a utility system and/or utility facilities, the easement premises being described as follows which are located in Monroe County, Florida:

A parcel of land known as a portion of an alleyway located in Block 6, according to the Key West Realty Co.’s First Subdivision of Part of Tract 21, and Lots 1, 2, 3, 4, 5, Island of Key West, according to the Plat thereof, as recorded in Plat Book 1 at Page 43 of the Public Records of Monroe County, Florida, said parcel being more particularly described by metes and bounds as follows:

BEGIN at the Northwesterly corner of Lot 1, of the said Block 6 and run thence Northeasterly along the Northwesterly boundary line of the said Lot 1 for a distance of 50.00 feet to the Northeasterly corner of the said Lot 1; thence Northwesterly and at right angles for a distance of 10.00 feet to the Southeasterly corner of Lot 14, of the said Block 6; thence Southwesterly and at right angles along the Southeasterly boundary line of the said Lot 14 for a distance of 50.00 feet to the Southwesterly corner of the said Lot 14; thence Southeasterly and at right angles for a distance of 10.00

WITNESSES:

Print Name _____

Lawrence R. Mattox

Print Name _____

STATE OF FLORIDA)
) SS.:
COUNTY OF MONROE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by Lawrence R. Mattox, who is personally known to me or who produced _____ as identification.

(SEAL)

Notary Public – State of Florida

Prepared By: Monica Hornyak
Chicago Title of the Florida Keys
801 Eisenhower Drive
Key West, FL 33040
410580105

DEED DOC STAMP CL: FP \$5,950.00

WARRANTY DEED

This Indenture, Made this 6th day of April, 2005, A.D., Between

DAVID B. HARDMAN and ANGELA HARDMAN, his wife,

grantor,

to

Doc# 1510655
Bk# 2105 Pg# 2278

LAWRENCE R. MATTOX, a single man

grantee,

whose address is: P.O. Box 6122, Raleigh, NC 27628

Witnesseth, that the GRANTOR, for and in consideration of the sum of TEN DOLLARS (\$10.00), and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate, lying and being in the County of Monroe, State of Florida to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

PARCEL ID NO: 00045550

And the grantor does hereby fully warrant the title to said land, and will defend that same Against lawful claims of all persons whomsoever.

In Witness Whereof, the grantor has hereunto set my hand and seal the day and year first above written.

Signed, sealed and delivered in our presence.

David B. Hardman

DAVID B. HARDMAN
Angela Hardman

ANGELA HARDMAN

1. *[Signature]*

Witness
ED SALAZAR
Printed Name of Witness

2. *[Signature]*

Witness
MONICA HORNYAK
Printed Name of Witness

STATE OF FL COUNTY OF Monroe

The foregoing instrument was acknowledged before me this 6 day of April, 2005, by David B. Hardman and Angela Hardman, who is personally known to me or who produced FL Drivers License as identification.

[Signature]

Notary Public
Commission Expires



EXHIBIT A

On the Island of Key West and known on the KEY WEST REALTY COMPANY'S SUBDIVISION of Part of Tract 21 and Salt Ponds Lots 1, 2, 3, 4 and 5, as Lot 1, Block 6, the diagram of said subdivision recorded in Plat Book 1, Page 43 of the Public Records of Monroe County, Florida.

Commencing at the NE corner of Flagler Avenue and Fifth Street, and running in an Easterly direction along Flagler Avenue Fifty (50) feet; thence at right angles in a Northerly direction One Hundred (100) feet to an alley; thence at right angles in a Westerly direction along said alley Fifty (50) feet; thence at right angles in a Southerly direction along Fifth Street One Hundred (100) feet to the Place of Beginning.