

IN THE SUPREME COURT OF FLORIDA

Case No. SC15-2150

ADVISORY OPINION TO THE ATTORNEY GENERAL RE: RIGHTS OF
ELECTRICITY CONSUMERS REGARDING SOLAR ENERGY CHOICE

**FLORIDA SOLAR INDUSTRIES ASSOCIATION'S
MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF**

The Florida Solar Industries Association ("FlaSEIA") hereby files this Motion for Extension of Time to File its initial brief in this matter, pursuant to Rule 9.300 of the Florida Rules of Appellate Procedure, and Rule 1.090(b) of the Florida Rules of Civil Procedure, and alleges the following:

1. The deadline for filing FlaSEIA's initial brief was January 11, 2016.
2. FlaSEIA was unable to file its initial brief for the following reasons:

A technical error occurred in the software and operation of the Florida E-filing portal which prevented the e-filing system from accepting the electronic documents submitted by FlaSEIA. The details of the problem are explained in Exhibit "A" of this motion.

RECEIVED, 01/12/2016 01:13:39 PM, Clerk, Supreme Court

3. FlaSEIA reported the issue to the technical support office of the E-filing portal when it was encountered. The E-filing portal staff has acknowledged that there was a technical issue as reported by FlaSEIA, and has since reported that the issue has been resolved. Other parties to this proceeding also encountered the same issue.

4. The foregoing reasons constitute legitimate and reasonable bases for the requested extension of time under Rule 1.090(b). Arguably the motion is unnecessary in light of this Court's opinion in *Electronic Filing in the Supreme Court of Florida Via the Florida Courts E-filing Portal*, No. AOSC13-7, paragraph 11, which states in pertinent part:

Once an electronic filing has been *submitted* to the Court through the Portal, it becomes a filing with the Court. [emphasis added]

In this instance the documents were submitted but were not confirmed or registered. Nonetheless, FlaSEIA submits the motion for the Court's consideration.

5. This extension of time is sought so that justice may be done, and to ensure an official position on FlaSEIA's initial brief in this matter, and not for purposes of delay.

6. FlaSEIA has contacted the parties to this proceeding via email to survey any opposition to this motion. One party, the Floridians for Solar Choice, has responded with no opposition. No other responses have been received as of the

filing of this motion.

7. Granting this request for an extension of time to file will not cause any delay, or otherwise affect this proceeding.

8. FlaSEIA requests an extension to file until January 12, 2016.

9. This Motion is based on the evidence enclosed.

WHEREFORE, the Florida Solar Industries Association requests that the Court grant until January 12, 2016, to file Florida Solar Industries Association's initial brief in this matter, and grant such other and further relief that may be awarded at law or in equity.

Respectfully submitted,

/s/ Ennis Leon Jacobs, Jr.
Ennis Leon Jacobs, Jr.
Florida Bar Number: 0714682
P.O. Box 1101
Tallahassee, FL 32302
Telephone: (850) 491-2710
E-Mail: jacobslawfla@gmail.com

**SUPREME COURT OF FLORIDA
CASE NO. SC15-2150
FLORIDA SOLAR INDUSTRIES ASSOCIATION
MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF**

EXHIBIT “A”

**TRANSCRIPT OF INCIDENT REPORT TO THE EFILING
PORTAL**

TRANSCRIPT OF INCIDENT REPORT TO E-FILING PORTAL REGARDING INCIDENT WITH EFILING FOR THE FLORIDA SUPREME COURT ON JANUARY 11, 2016

Inbox x



Ennis Jacobs <jacobslawfla@gmail.com>

11:09 PM (13 hours ago)

to support, George, Bill

Hi. I am writing regarding a problem I experience in attempting to file an opposition brief in the Florida Supreme Court on January 11.

I logged into the efiling portal as normal, and selected the Supreme Court. I successfully search for and found the case. I then went to the documents selection page. I clicked on the Add button, and went to the page for selecting document type and uploading my local documents.

Here is the problem. The page for selecting document type has no options to select. When I enter a search element, it doesn't search or return any responses.

I then entered the number of pages and selected the document, and clicked Save. It gave me an error message that a document type was required.

I have attached a file with screen shots from the process.

Please contact me by phone [\(850\)491-2710](tel:8504912710), or email - jacobslawfla@gmail.com; to direct me how to get around this problem.

Thanks for your assistance.

Ennis Leon Jacobs, Jr.

Attachments area

Preview attachment Efiling attempts to file.docx



Incident # 00861131 Update

Inbox x



Jamie Barber <jbarber@flclerks.com> 8:33 AM (3 hours ago)

to me

The following is an update of your issue logged on 2016-01-11 .

Good Morning,

We are currently researching this issue and will update you once it is resolved.

Thank you for your patience.

Thank you,

Jamie Barber



Jamie Barber <jbarber@flclerks.com> 10:55 AM (1 hour ago)

to me

The following is an update of your issue logged on 2016-01-11 .

Good Morning,

The portal is available and ready to receive your filing. Again, we apologize for the inconvenience.

Thank you,

Jamie Barber

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to the following parties, this 12th day of January, 2016.

**By Electronic Mail via the Florida Courts E-Filing Portal, as authorized by
Fla. R. Jud. Admin. 2.516:**

Pamela Jo Bondi
Attorney General
Allen C. Winsor
Solicitor General
Office of the Attorney General
PL-01, The Capitol
Tallahassee, Florida 32399-1050
Emails: oag.civil.eserve@myfloridalegal.com
lagran.saunders@myfloridalegal.com
allen.winsor@myfloridalegal.com
rachel.nordby@myfloridalegal.com

Timothy M. Cerio, Esquire
General Counsel
Executive Office of the Governor
State of Florida
The Capitol
400 S. Monroe Street
Tallahassee, Florida 32399
Email: tim.cerio@eog.myflorida.com

Adam S. Tanenbaum, Esquire
General Counsel
Florida Department of State
R. A. Gray Building
500 S. Bronough Street
Tallahassee, Florida 32399
Email: adam.tanenbaum@dos.myflorida.com

Matthew J. Carson, Esquire
General Counsel
Florida House of Representatives

422 The Capitol
402 S. Monroe Street
Tallahassee, Florida 32399
Email: matthew.carson@myfloridahouse.gov

George T. Levesque, Esquire
General Counsel
The Florida Senate
302 The Capitol
404 S. Monroe Street
Tallahassee, Florida 32399
levesque.george@flsenate.gov

Raul Cantero
White & Case
Southeast Financial Center
200 South Biscayne Boulevard
Suite 4900
Miami, Florida 33131
E-mail: rcantero@whitecase.com

/s/ Ennis Leon Jacobs, Jr.