

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Petition for rate increase by Florida  
Power & Light Company**

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**Docket No.: 080677-EI  
Filed: March 16, 2009**

**REQUEST OF THE SOUTH FLORIDA HOSPITAL AND  
HEALTHCARE ASSOCIATION TO BE REPRESENTED BY  
MARK F. SUNDBACK, KENNETH L. WISEMAN,  
JENNIFER L. SPINA AND LISA M. PURDY  
AS QUALIFIED REPRESENTATIVES**

Pursuant to Rule 28-106.106 of the Florida Administrative Code, the South Florida Hospital and Healthcare Association (“SFHHA”) hereby files this request to grant the following attorneys Qualified Representative status to appear in the captioned proceeding: Mark F. Sundback, Kenneth L. Wiseman, Jennifer L. Spina and Lisa M. Purdy (collectively, the “Attorneys”). SFHHA is fully aware of the services which the Attorneys can provide and is aware that SFHHA can be represented by counsel of the Florida Bar as defined in Rule 28-106.106 and has chosen to be represented by the following attorneys who are members of the bar of the District of Columbia. The contact for the Attorneys is as follows:

Mark F. Sundback  
Kenneth L. Wiseman  
Jennifer L. Spina  
Lisa M. Purdy  
Andrews Kurth LLP  
1350 I Street, NW  
Suite 1100  
Washington, DC 20005  
(Tel) 202/662-2700  
(Fax) 202/662-2739  
marksundback@andrewskurth.com  
kennethwiseman@andrewskurth.com  
jenniferspina@andrewskurth.com  
lisapurdy@andrewskurth.com

In accordance with Rule 28-106.106, SFHHA provides the following information with respect to the Attorneys:

(1) Mr. Sundback, Mr. Wiseman, Ms. Spina and Ms. Purdy are members in good standing of the Bar of the District of Columbia and admitted to practice before the District of Columbia Court of Appeals, the highest court in the District's judicial system. In addition, Mr. Sundback is admitted to practice before the U.S. Court of Appeals for the 5<sup>th</sup>, 10<sup>th</sup> and District of Columbia Circuits as well as the United States District Court for the District of Columbia. Mr. Wiseman is also admitted to practice before the U.S. Court of Appeals for the 1<sup>st</sup>, 5<sup>th</sup>, 9<sup>th</sup>, and District of Columbia Circuits as well as the United States District Court for the District of Columbia. Ms. Spina is admitted to practice in the Commonwealth of Virginia, the United States Supreme Court, and the U.S. Court of Appeals for the 1st, 4th, 9th and District of Columbia Circuits. Ms. Purdy is admitted to practice in the Commonwealth of Virginia and in the U.S. District Court for the Eastern District of Virginia. Each is experienced in the matters involved in public utility regulation and has practiced before agencies engaged in such regulation as reflected in the attached certifications.

(2) Both Mr. Sundback and Mr. Wiseman sought and received *pro hac vice* admission to represent SFHHA in the following matters in the State of Florida:

(a) Before the Florida Public Service Commission in Docket No. 001148-EI pursuant to motion *pro hac vice* filed on May 2, 2001;

(b) Before the Florida Supreme Court in *South Florida Hospital and Health Care Assoc. v. Jabar* (Docket No. SC02-1023) pursuant to motion *pro hac vice* filed on May 13, 2003;

(c) Before the Florida Public Service Commission in Docket No. 050045-EI pursuant to a motion *pro hac vice* filed on May 6, 2005.

(3) None of Mr. Sundback, Mr. Wiseman, Ms. Spina or Mr. Purdy have been disciplined in any manner, and neither has any pending disciplinary proceeding.

(4) See the attached sworn affidavits of Mr. Sundback, Mr. Wiseman, Ms. Spina and Ms. Purdy, stating that each is in good standing of the Bar of the District of Columbia; experienced in the matters involved in public utility regulation; has practiced extensively before agencies engaged in such regulation; has knowledge of the Florida Statutes relative to the Commission's jurisdiction; has knowledge of the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding; has knowledge of the Florida Administrative Code and Florida Statutes relative to the rules of evidence, including the concept of hearsay in an administrative proceeding; has acquired and will acquire further knowledge of the factual and legal issues involved in this proceeding; and has knowledge of and complied with the Standards of Conduct for Qualified Representatives, Rule 28-106.107 of the Florida Administrative Code.

WHEREFORE, SFHHA requests that the Commission grant this request.

Respectfully submitted,

*/s/ Linda S. Quick*

Linda S. Quick, President  
South Florida Hospital and Healthcare Association  
6030 Hollywood Blvd  
Suite 140  
Hollywood, Florida 33024  
(954) 964-1660 Phone  
(954) 9642-1260 Facsimile

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**AFFIDAVIT OF MARK F. SUNDBACK**

I, Mark F. Sundback, hereby certify, pursuant to Rule 28-106.106 of the Florida Administrative Code, that I am an attorney in good standing of the Bar of the District of Columbia; that I am experienced in the matters involved in public utility regulation; that I have practiced extensively before agencies engaged in such regulation; that I have knowledge of the Florida Statutes relative to the Commission's jurisdiction; that I have knowledge of the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding; that I have knowledge of the Florida Administrative Code and Florida Statutes relative to the rules of evidence, including the concept of hearsay in an administrative proceeding; that I have acquired and will further acquire knowledge of the factual and legal issues involved in this proceeding; and that I have knowledge of and have complied with the Standards of Conduct for Qualified Representatives, Rule 28-106.107 of the Florida Administrative Code.

Mark Sundback

Mark F. Sundback  
District of Columbia Bar No. 358922

Affirmed and subscribed before me this 16th day of March, 2009.

Lindo

Notary Public

My Commission Expires: \_\_\_\_\_

**JACQUELINE E. LINDO**  
Notary Public, State of Maryland  
My Commission Expires Dec. 1, 2009

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

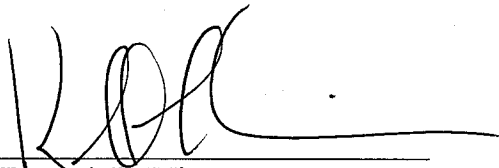
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**AFFIDAVIT OF KENNETH L. WISEMAN**

I, Kenneth L. Wiseman, hereby certify, pursuant to Rule 28-106.106 of the Florida Administrative Code, that I am an attorney in good standing of the Bar of the District of Columbia; that I am experienced in the matters involved in public utility regulation; that I have practiced extensively before agencies engaged in such regulation; that I have knowledge of the Florida Statutes relative to the Commission's jurisdiction; that I have knowledge of the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding; that I have knowledge of the Florida Administrative Code and Florida Statutes relative to the rules of evidence, including the concept of hearsay in an administrative proceeding; that I have acquired and will further acquire knowledge of the factual and legal issues involved in this proceeding; and that I have knowledge of and have complied with the Standards of Conduct for Qualified Representatives, Rule 28-106.107 of the Florida Administrative Code.



Kenneth L. Wiseman  
District of Columbia Bar No. 943092

Affirmed and subscribed before me this 16<sup>th</sup> day of March, 2009.



Notary Public

My Commission Expires: \_\_\_\_\_

**JACQUELINE E. LINDO**  
**Notary Public, State of Maryland**  
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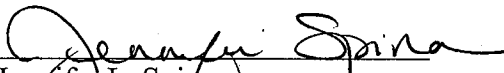
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**AFFIDAVIT OF JENNIFER L. SPINA**

I, Jennifer L. Spina, hereby certify, pursuant to Rule 28-106.106 of the Florida Administrative Code, that I am an attorney in good standing of the Bar of the District of Columbia; that I am experienced in the matters involved in public utility regulation; that I have practiced extensively before agencies engaged in such regulation; that I have knowledge of the Florida Statutes relative to the Commission's jurisdiction; that I have knowledge of the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding; that I have knowledge of the Florida Administrative Code and Florida Statutes relative to the rules of evidence, including the concept of hearsay in an administrative proceeding; that I have acquired and will further acquire knowledge of the factual and legal issues involved in this proceeding; and that I have knowledge of and have complied with the Standards of Conduct for Qualified Representatives, Rule 28-106.107 of the Florida Administrative Code.



  
Jennifer L. Spina  
District of Columbia Bar No. 489104

Affirmed and subscribed before me this 16<sup>th</sup> day of March, 2009.

  
Notary Public

My Commission Expires: \_\_\_\_\_

**JACQUELINE E. LINDO**  
Notary Public, State of Maryland  
My Commission Expires Dec. 1, 2009

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

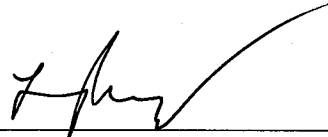
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**AFFIDAVIT OF LISA M. PURDY**

I, Lisa M. Purdy, hereby certify, pursuant to Rule 28-106.106 of the Florida Administrative Code, that I am an attorney in good standing of the Bar of the District of Columbia; that I am experienced in the matters involved in public utility regulation; that I have practiced before agencies engaged in such regulation; that I have knowledge of the Florida Statutes relative to the Commission's jurisdiction; that I have knowledge of the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding; that I have knowledge of the Florida Administrative Code and Florida Statutes relative to the rules of evidence, including the concept of hearsay in an administrative proceeding; that I have acquired and will further acquire knowledge of the factual and legal issues involved in this proceeding; and that I have knowledge of and have complied with the Standards of Conduct for Qualified Representatives, Rule 28-106.107 of the Florida Administrative Code.



\_\_\_\_\_  
Lisa M. Purdy  
District of Columbia Bar No. 983680

Affirmed and subscribed before me this 16<sup>th</sup> day of March, 2009.



\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

**JACQUELINE E. LINDO**  
Notary Public, State of Maryland  
My Commission Expires Dec. 1, 2009

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by  
Via E-mail or U.S. mail to the following parties of record and interested parties, this 16th day of  
March, 2009.

**Florida Power & Light Company**

Mr. Wade Litchfield  
215 South Monroe Street, Suite 810  
Tallahassee, FL 32301-1859  
Phone: (850) 521-3900  
FAX: 521-3939  
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**Florida Power & Light Company**

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Juno Beach, FL 33408-0420  
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**Office of Public Counsel**

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**Credit Suisse**

Yang Song, Equity Research  
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Email: [yang.y.song@credit-suisse.com](mailto:yang.y.song@credit-suisse.com)

**I.B.E.W. System Council U-4**

Robert A. Sugarman  
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FAX: 305-447-8115

**Saporito Energy Consultants**

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FAX: 561-952-4810  
Email:  
[SaporitoEnergyConsultants@gmail.com](mailto:SaporitoEnergyConsultants@gmail.com)

/s/ Linda S. Quick

Linda S. Quick