

State of Florida



RECEIVED-FPSC

Public Service Commission

09 NOV 19 AM 10:32
CENTRAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

COMMISSION
CLERK

-M-E-M-O-R-A-N-D-U-M-

DATE: November 18, 2009
TO: Ann Cole, Commission Clerk - PSC, Office of Commission Clerk
FROM: Erik L. Saylor, Senior Attorney, Office of the General Counsel
RE: RE: 090451- EM Joint petition to determine need for Gainesville Renewable Energy Center in Alachua County, by Gainesville Regional Utilities and Gainesville Renewable Energy Center, LLC.

Please find attached an electronic mail memorandum for Docket No. 090451-EM regarding GRU Need Determination – waiver request that needs to be filed in the Docket file.

ELS/th

DOCUMENT NUMBER-DATE

11460 NOV 19 8

FPSC-COMMISSION CLERK

Erik Sayler

From: ryoung [ryoung@yvlaw.net]
Sent: Monday, November 16, 2009 11:29 AM
To: Erik Sayler
Subject: Re: 090451 - GRU Need Determination - waiver request

Eric-i discussed with clients this morning and they are agreeable to the extension to feb 9 2010. Roy Young

Sent from my BlackBerry® wireless handheld

From: "Erik Sayler" <esayler@PSC.STATE.FL.US>
Date: Mon, 16 Nov 2009 11:02:45 -0500
To: Roy Young<Ryoung@yvlaw.net>
Cc: Schef Wright<swright@yvlaw.net>; Martha Brown<MBrown@PSC.STATE.FL.US>
Subject: 090451 - GRU Need Determination - waiver request

Hi Roy,

Here's the CASR housekeeping matter we discussed.

I was reviewing the CASR last week and discovered a conflict with Rule 25-22.080(2), F.A.C., requiring that the need determination proceeding be brought to Commission Agenda Conference within 135 days of the commencement of the proceeding. I wanted to address this with you before the Clerk's office called me on this matter.

Currently, this proceeding is scheduled for the February 9, 2010, Agenda Conference. According the the rule cited above, this proceeding commenced on September 22, 2009, and the 135 limit runs on February 4, 2010.

Thus, staff is requesting that GRU waive the 135 day time requirement, so this matter could be placed on the February 9, 2010, Agenda Conference, if that date is needed.

Please let me know whether GRU be willing to waive the 135 day time requirements of Rule 25-22.080(2), F.A.C.?

Many thanks. Please let me know if you have any further questions regarding this matter.

Erik L. Sayler
Senior Attorney
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
850-413-6199 - mainline
850-413-6084 - direct
850-413-6085 - fax

DISCLAIMER: Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure. If you received this e-mail in error, please notify the sender by reply e-mail and then delete this e-mail immediately.

DOCUMENT NUMBER-DATE
11460 NOV 19 8
FPSC-COMMISSION CLERK

11/17/2009