

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

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

DATE: March 18, 2010
TO: Ann Cole, Commission Clerk, Office of Commission Clerk
FROM: Erik L. Saylor, Senior Attorney, Office of the General Counsel
RE: Docket No. 090451-EM – In Re: Joint petition to determine need for Gainesville Renewable Energy Center in Alachua County, by Gainesville Regional Utilities and Gainesville Renewable Energy Center, LLC.

Please place Intervenor Deevey's Response to Petitioner GREC's First Set of Interrogatories (Nos. 1-8) and Intervenor Stahmer's Response to Petitioner GREC's First Set of Interrogatories (Nos. 1-8) into the Docket file.

ELS/th
Attachment

RECEIVED-PPSC
10 MAR 18 AM 11:02
COMMISSION
CLERK

DOCUMENT NUMBER-DATE

01894 MAR 18 0

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In the Matter of:

DOCKET NO. 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.

**INTERVENER DEEVEY'S ANSWERS TO
PETITIONER GREC'S FIRST SET OF INTERROGATORIES (Nos. 1-8)**

1. Identify each person that prepared or assisted in the preparation of the answers to these interrogatories and state which specific answer(s) each person prepared or assisted in preparing. :

Answer:

Intervener Stahmer and I consulted in the preparation of all Answers.

2. Please identify each consultant or expert with whom Ms. Deevey consulted prior to the time Ms. Deevey filed her Motion to Intervene, concerning issues raised in the Motion.

Answer:

I have consulted with state, national, and international professionals in related areas for many years. I did not consult with any experts in deciding to intervene as I already had acquired sufficient knowledge to personally evaluate the GREC proceedings before the FPSC and to determine that there are many internal inconsistencies and erroneous claims in the record.

3. Please identify each Person that prepared or assisted in the preparation of the Motion to Intervene.

Answer:

DOCUMENT NUMBER-DATE

01894 MAR 18 2011

FPSC-COMMISSION CLERK

Intervener Stahmer and I consulted in preparing our respective Motions to Intervene.

4. Please identify each Person expected to be called by Ms. Deevey to testify as an expert witness at the final hearing in this case and, with regard to each such expert witness, provide the following information:

- (a) The subject matter on which the expert witness is expected to testify.
- (b) The substance of the facts and opinions on which the expert witness is expected to testify.
- (c) A summary of the grounds for each opinion that the expert witness will express at the final hearing.

Answer:

I hope to have one or two expert witnesses, depending upon the issues that I am allowed to address. However, I have not yet secured the services of any expert witness. At this time, I reserve the right to call any expert witnesses whose testimony, either written or oral, was previously presented by Petitioner GREC in this matter. I also reserve the right to identify my expert witnesses as soon as I know who he or she may be.

5. Please identify each Person expected to be called by Ms. Deevey to testify as a non-expert witness at the final hearing in this case and, with regard to each such witness, describe the substance of the facts and conclusions about which the witness is expected to testify.

Answer:

I may call Intervener Stahmer as a non-expert witness to testify about the nature of the public meetings and information provided by GRU to the community of GRU ratepayers. Ms. Stahmer participated in or attended meetings during which GRU made presentations about the GREC project. She frequently commented to the city commission and to GRU about what the public was and was not being told. I reserve the right to amend this answer and identify other non-expert witnesses.

6. a.& b. Please state whether you (Ms. Deevey) intend to testify at the hearing in this case.

Answer: I expect to testify as an expert witness and as a non-expert witness.

c.i.-iii: The subject matter, the substance of the facts and opinions on which you plan to testify, a summary of the grounds for each opinion you expect or plan to express at the final hearing.

Answer: As an expert witness, I expect to challenge GREC's assertions about need, availability and sustainability of woody biomass resources, rate impacts, lack of notice to the city commission and the public.

d. If you intend to testify as a non-expert witness, please describe the substance of the facts and conclusions about which you expect to testify.

Answer:

I will testify as to the experiences I have had trying to get coherent information from GRU on many matters related to GRU's management, record keeping, and ability to self-audit its planning and future projections as these experiences reflect on GRU's expertise relating to the GREC project. I will also testify about my experiences participating in and attending meetings in which GRU made presentations about the GREC project.

7. Please identify all documents on which Ms. Deevey will rely or introduce as exhibits at the final hearing in this case.

Answer:

a) All documents available on the FPSC web site at the Dockets and Index of filings web page <http://www.psc.state.fl.us/dockets/cms/docketFilings2.aspx?docket=090451>.

b) The video of the April 28, 2008 discussion of this Project by the Gainesville City Commission; available at their web site, using the search function and links at the City's "Legislative Agendas and Minutes" web site : <http://www.cityofgainesville.org/tabid/512/Default.aspx>. This agenda item is there identified as item number 07119.

c) Transcript of the 2/9/2010 Agenda Conference (Document Number 00975-10).

d) Transcript of the 12/16 hearing (Documents Number 12177-09 and 12178-09).

- e) Staff Analysis (Document Number 00642-10).
 - f) Exhibits (Document Number 00473-09).
 - g) A document entitled Stipulated Assumptions, prepared by GRU staff. The URL is <http://legistar.cityofgainesville.org/attachments/5646.pdf>.
 - h) Any documents not referenced above but which are contained in the record of this case.
8. Please state with specificity how Ms. Deevey's substantial interests will be affected by the Project.

Answer:

As a customer of GRU, I will have to suffer the consequences of the enormous risk exposure attendant to this Project. GRU's rosy projections are without any credible foundation. I and all other customers who are resident in the Gainesville area will have no alternative for electricity even if GRU rates skyrocket as a result of this Project.

END OF INTERROGATORIES AND ANSWERS

STATE OF FLORIDA

COUNTY OF ALACHUA

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, _____

_____, who averred that the answers to the foregoing Interrogatories are true and correct to the best of her knowledge and belief. She is personally known to me or has produced her driver's license as identification and has taken an oath.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at

_____,
this 16th day of March, 2010.

CERTIFICATE OF SERVICE

I, Dian R. Deevey, hereby certify that a true and complete copy of the foregoing has been served on the following via electronic mail and United States Mail* on March 16th, 2010:

Roy C. Young/Schef Wright*

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Intervener Deevey's Answer to Petitioner GREC's
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PSC DOCKET 090451-EM
Page 6 of 6

Teresa Walsh

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s/Dian R. Deevey, pro se
Intervener

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In the Matter of:

DOCKET NO. 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.

**INTERVENER STAHMER'S ANSWERS TO
PETITIONER GREC'S FIRST SET OF INTERROGATORIES (Nos. 1-8)**

1. Identify each person that prepared or assisted in the preparation of the answers to these interrogatories and state which specific answer(s) each person prepared or assisted in preparing. :

Answer:

Intervener Deevey and I consulted in the preparation of all Answers.

2. Please identify each consultant or expert with whom Ms. Stahmer consulted prior to the time Ms. Stahmer filed her Motion to Intervene, concerning issues raised in the Motion.

Answer:

I have consulted with state and national professionals in related areas for many years. I did not consult with any experts except Ms. Deevey in deciding to intervene.

3. Please identify each Person that prepared or assisted in the preparation of the Motion to Intervene.

Answer:

Intervener Deevey and I consulted in preparing our respective Motions to Intervene.

4. Please identify each Person expected to be called by Ms. Stahmer to testify as an expert witness at the final hearing in this case and, with regard to each such expert witness, provide the following information:

- (a) The subject matter on which the expert witness is expected to testify.
- (b) The substance of the facts and opinions on which the expert witness is expected to testify.
- (c) A summary of the grounds for each opinion that the expert witness will express at the final hearing.

Answer:

I expect to call Ms. Deevey as an expert witness to the extent I am permitted to address the issues to be determined by the PSC. I hope to have one or two other expert witnesses, also depending upon the issues that I am allowed to address. However, I have not yet secured the services of any expert witness. At this time, I reserve the right to call any expert witnesses whose testimony, either written or oral, was previously presented by Petitioner GREC in this matter. I also reserve the right to identify my expert witnesses as soon as I know who he or she may be.

Ms. Deevey is qualified to address all the issues identified as relevant in this matter, including availability and sustainability of woody biomass, evaluation of GREC's assertions of need, impact on ratepayers, degree of risk exposure, the credibility of documents and analysis relied upon by GREC in its presentations to the city commission and the PSC.

Ms. Deevey's testimony will be based upon documents produced by GRU and GREC during the course of Ms. Deevey's own inquiries and the proceedings before PSC.

5. Please identify each Person expected to be called by Ms. Stahmer to testify as a non-expert witness at the final hearing in this case and, with regard to each such witness, describe the substance of the facts and conclusions about which the witness is expected to testify.

Answer:

I may call Ms. Deevey as a non-expert witness to testify about the nature of the public meetings and information provided by GRU to the community of GRU ratepayers. Ms. Deevey participated in or attended meetings during which GRU made presentations about the GREC project. She frequently commented to the city commission and to GRU about what the public was and was not being told. I reserve the right to amend this answer and identify other non-expert witnesses.

6. a.& b. Please state whether you (Ms. Stahmer) intend to testify at the hearing in this case.

Answer: I might testify as a non-expert witness.

d. If you intend to testify as a non-expert witness, please describe the substance of the facts and conclusions about which you expect to testify.

Answer:

I can testify as to the experiences I have had listening to GRU obfuscate on matters of public concern. Ms. Deevey and I worked together at times trying to get information and records from GRU on many matters related to GRU's management, record keeping, and ability to self-audit its planning and future projections. I will also testify about my experiences participating in and attending meetings in which GRU made presentations about the GREC project.

7. Please identify all documents on which Ms. Stahmer will rely or introduce as exhibits at the final hearing in this case.

Answer:

a) All documents available on the FPSC web site at the Dockets and Index of filings web page <http://www.psc.state.fl.us/dockets/cms/docketFilings2.aspx?docket=090451>.

b) The video of the April 28, 2008 discussion of this Project by the Gainesville City Commission; available at their web site, using the search function and links at the City's "Legislative Agendas and Minutes" web site : <http://www.cityofgainesville.org/tabid/512/Default.aspx>. This agenda item is there identified as item number 07119.

- c) Transcript of the 2/9/2010 Agenda Conference (Document Number 00975-10).
 - d) Transcript of the 12/16 hearing (Documents Number 12177-09 and 12178-09).
 - e) Staff Analysis (Document Number 00642-10).
 - f) Exhibits (Document Number 00473-09).
 - g) A document entitled Stipulated Assumptions, prepared by GRU staff. The URL is <http://legistar.cityofgainesville.org/attachments/5646.pdf>.
 - h) Any documents not referenced above but which are contained in the record of this case.
8. Please state with specificity how Ms. Stahmer's substantial interests will be affected by the Project.

Answer:

As a customer of GRU, I will have to suffer the consequences of the enormous risk exposure attendant to this Project. GRU's rosy projections are without any credible foundation. I and all other customers who are resident in the Gainesville area will have no alternative for electricity even if GRU rates skyrocket as a result of this Project.

END OF INTERROGATORIES AND ANSWERS

STATE OF FLORIDA

COUNTY OF ALACHUA

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, _____, who averred that the answers to the foregoing Interrogatories are true and correct to the best of her knowledge and belief. She is personally known to me or has produced her driver's license as identification and has taken an oath.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at

_____, this 17th day of March,
2010.

CERTIFICATE OF SERVICE

I, Paula H. Stahmer, hereby certify that a true and complete copy of the foregoing has been served on the following via electronic mail and sent via United States Mail* on March 17th, 2010:

Roy C. Young/Schef Wright*

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PSC DOCKET 090451-EM
Page 6 of 6

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s/Paula H. Stahmer, pro se
Intervener