

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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.

DOCKET NO. 090451-EM

ISSUED:

STAFF'S UPDATED PREHEARING STATEMENT

Pursuant to Order No. PSC-09-0671-PCO-EM, issued October 8, 2009, and Order No. PSC-10-0135-PCO-EM, issued March 8, 2010, the Staff of the Florida Public Service Commission files its Prehearing Statement.

a. All Known Witnesses

Staff is not sponsoring any witnesses.

b. All Known Exhibits

Staff has no direct exhibits.

c. Staff's Statement of Basic Position

Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

d. Staff's Position on the Issues

STIPULATED

ISSUE 1: Are Gainesville Regional Utilities and Gainesville Renewable Energy Center, LLC proper applicants within the meaning of Section 403.519, F.S.?

POSITION: Yes. Gainesville Regional Utilities (GRU) is a municipal electric, natural gas, water, wastewater, and telecommunications utility serving retail customers; it is owned and operated by the City of Gainesville in Alachua County, located in north-central Florida; and it is a valid applicant under the Florida Electrical Power Plant Siting Act (PPSA), Chapter 403, Part II, Florida Statutes.

Gainesville Renewable Energy Center, LLC (GREC LLC) is a private renewable power producer that will own, operate, and maintain the proposed Gainesville Renewable Energy Center biomass facility and sell 100 percent of the facility's

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electric power output to GRU under a 30 year power purchase agreement (PPA). GREC LLC is an appropriate joint applicant pursuant to the Commission's decisions and the Florida Supreme Court's decision in Nassau Power Corp. v. Deason, 641 So. 2d 396 (Fla. 1994).

ISSUE 2: Is there a need for the Gainesville Renewable Energy Center, taking into account the need for electric system reliability and integrity, as this criterion is used in section 403.519, Florida Statutes?

POSITION: No position at this time.

ISSUE 3: Is there a need for the Gainesville Renewable Energy Center, taking into account the need for adequate electricity at a reasonable cost, as this criterion is used in section 403.519, Florida Statutes?

POSITION: No position at this time.

ISSUE 4: Is there a need for the Gainesville Renewable Energy Center, taking into account the need for fuel diversity and supply reliability, as this criterion is used in Section 403.519, Florida Statutes?

POSITION: No position at this time.

ISSUE 5: Are there any renewable energy sources and technologies, as well as conservation measures, taken by or reasonably available to Gainesville Regional Utilities which might mitigate the need for the proposed Gainesville Renewable Energy Center?

POSITION: No position at this time.

ISSUE 6: Is the Gainesville Renewable Energy Center the most cost-effective alternative available, as this criterion is used in section 403.519, Florida Statutes?

POSITION: No position at this time.

ISSUE 7: Based on the resolution of the foregoing issues, should the Commission grant the petition to determine the need for the proposed Gainesville Renewable Energy Center?

POSITION: No position at this time.

ISSUE 8: Should this docket be closed?

POSITION: No position at this time.

e. Stipulated Issues

Yes, Issue 1. At the December 16, 2009, hearing, the Commission voted to adopt the proposed stipulation on Issue 1 between Staff and the joint applicants. See Hearing Transcript, December 16, 2009, Vol. 1, pp. 46-47.

f. Pending Motions

Staff has no pending motions at this time.

g. Pending Confidentiality Claims or Requests

Staff has no pending confidentiality claims or requests at this time.

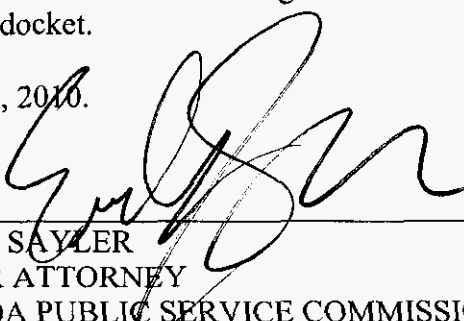
h. Objections to Witness Qualifications as an Expert

Staff has no objections to any witness' qualifications as an expert in this proceeding.

i. Compliance with Order Nos. PSC-09-0671-PCO-EM and PSC-10-0135-PCO-EM

Staff has complied with all requirements of the Order Establishing Procedure and First Revised Order Establishing Procedure entered in this docket.

Respectfully submitted this 31st day of March, 2010.



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DOCKET NO. 090451-EM

DATED: MARCH 29, 2010

CERTIFICATE OF SERVICE

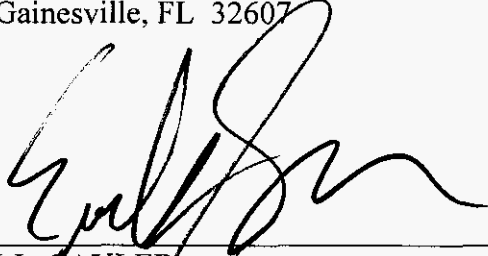
I HEREBY CERTIFY that the original and one correct copy of STAFF'S PREHEARING STATEMENT have been served by electronic and U. S. mail to Roy C. Young & Schef Wright, Young VanAssenderp, P.A., 225 South Adams Street, Suite 200, Tallahassee, FL 32301, and that a true copy thereof has been furnished to the following by U. S. mail, this 31st day of March, 2010:

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Boston, MA 02116

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