

Marguerite McLean

090451-EM

From: Rhonda Dulgar [rdulgar@yvlaw.net]
Sent: Wednesday, March 31, 2010 4:52 PM
To: paulastahmer@aol.com; diandv@bellsouth.net; Raymond "Skip" Manasco; Erik Saylor; Filings@psc.state.fl.us; Martha Brown; Theresa Walsh; Schef Wright
Subject: Electronic Filing - Docket 090451-EM
Attachments: 090451.NOF.Affidavit.Levine.3-31-10.pdf

a. Person responsible for this electronic filing:

Robert Scheffel Wright
 Young van Assenderp, P.A.
 225 South Adams Street, Suite 200
 Tallahassee, FL 32301
 (850) 222-7206
 swright@yvlaw.net

b. 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.

c. Document being filed on behalf of Gainesville Regional Utilities.

d. There are a total of 3 pages.

e. The document attached for electronic filing is Notice of Filing of Affidavit of Joshua H. Levine in Support of Gainesville Regional Utilities and Gainesville Renewable Energy Center, LLC's Request for Confidential Classification for Response to Staff's Fifth Set of Interrogatories (No. 114).

(see attached file: 090451.NOF.Affidavit.Levine.3-31-10.pdf)

Thank you for your attention and assistance in this matter.

Rhonda Dulgar
 Secretary to Schef Wright
 Phone: 850-222-7206
 FAX: 850-561-6834

DOCUMENT NUMBER-DATE

02335 MAR 31 0

FPSC-COMMISSION CLERK

3/31/2010

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

DATED: MARCH 31, 2010

NOTICE OF FILING AFFIDAVIT OF JOSHUA H. LEVINE IN SUPPORT OF
GAINESVILLE REGIONAL UTILITIES AND
GAINESVILLE RENEWABLE ENERGY CENTER, LLC'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION FOR
RESPONSE TO STAFF'S FIFTH SET OF INTERROGATORIES (NO. 114)

Gainesville Renewable Energy Center ("GREC") and Gainesville Regional Utilities ("GRU"), by and through their undersigned counsel, and in compliance with Rule 25-22.006(4)(d), Florida Administrative Code, hereby file the attached Affidavit of Joshua H. Levine in support of GRU's and GREC LLC's Request for Confidential Classification - Response to Staff's Interrogatory No. 114 ("Request"), which was filed with the Commission Clerk on March 30, 2010. Please note that Mr. Levine's Affidavit is Exhibit D to the Request filed on March 30, 2010.

Respectfully submitted this 31st day of March, 2010.

Young van Assenderp, P.A.



Roy C. Young

Florida Bar No. 098428

Robert Scheffel Wright

Florida Bar No. 966721

John T. LaVia, III

Florida Bar No. 853666

225 South Adams Street- Suite 200

P.O. Box 1833

Tallahassee, Florida 32302-1833

(850) 222-7206

(850) 561-6834 (fax)

Attorneys for GRU and GREC LLC

DOCUMENT NUMBER-DATE

02335 MAR 31 0

FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice was served upon the following by
electronic delivery and U.S. Mail on this 31st day of March, 2010

Erik L. Sayler
Senior Attorney, Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Paula H. Stahmer
4621 Clear Lake Drive
Gainesville, Florida 32607
paulastahmer@aol.com

Dian R. Deevey
1702 SW 35th Place
Gainesville, Florida 32608
diandv@bellsouth.net

Raymond O. Manasco, Jr.
Utilities Legal Services
Gainesville Regional Utilities
P.O. Box 147117, Sta. A-138
Gainesville, Florida 32614


Attorney

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition to Determine Need)
For the Gainesville Renewable Energy)
Center in Alachua County by Gainesville)
Regional Utilities and Gainesville)
Renewable Energy Center, LLC)

DOCKET NO. 090451-EM

FILED: March 31, 2010

STATE OF FLORIDA)
COUNTY OF ALACHUA)

AFFIDAVIT OF JOSHUA H. LEVINE

BEFORE ME, the undersigned authority, Joshua H. Levine personally appeared who, being first duly sworn deposes and says:

1. My name is Joshua H. Levine. I am currently employed by American Renewables, LLC. I have personal knowledge of the matters stated in this Affidavit.

2. I have reviewed the document and information contained in Exhibit C to Petitioners' Request for Confidential Classification of certain designated information contained in the Petitioners' response to the Public Service Commission Staff's Interrogatory No. 114. The information designated as confidential in that Exhibit C is the proprietary, confidential business information, including trade secret information, of GREC LLC, and the disclosure of the designated confidential information would impair GREC LLC's competitive interests in its negotiations its negotiations with potential purchasers of renewable energy from other projects being developed by GREC LLC and its affiliates. The disclosure of the designated confidential information would also impair GREC LLC's ability to contract on favorable terms for goods and services that are necessary to GREC LLC's performance of its responsibilities under the power purchase and sale agreement between GREC LLC and Gainesville Regional Utilities. GREC LLC treats this information as private, confidential, proprietary business information, and GREC LLC has not disclosed the subject information except pursuant to confidentiality agreements that protect the information from public disclosure.

3. Consistent with the provisions of the Florida Administrative Code, the subject information should remain confidential for a period of not less than eighteen (18) months. In addition, this information should be returned to the Petitioners as soon as the information is no longer necessary for the Commission to conduct its business, so that the Petitioners can continue to maintain the confidentiality of this information.

Affiant sayeth nothing further.

Joshua H. Levine

SWORN TO AND SUBSCRIBED before me this 31st day of March, 2010, by Joshua H. Levine, who is personally known to me.

Marica DeMa

Notary Public
My Commission Expires: _____



DOCUMENT NUMBER-DATE

02335 MAR 31 0

FPSC-COMMISSION CLERK