

Dorothy Menasco

From: Rhonda Dulgar [rdulgar@yvlaw.net]
Sent: Friday, April 23, 2010 2:33 PM
To: paulastahmer@aol.com; diandv@bellsouth.net; Raymond "Skip" Manasco; Erik Sayler; Filings@psc.state.fl.us; Martha Brown; Theresa Walsh; Schef Wright
Subject: Electronic Filing - Docket 100008-OT
Attachments: 100008.Req4QualifiedRep.Duffy.4-23-10.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. 100008-OT
In Re: Applications for Naming of Qualified Representative Status.

c. Document being filed on behalf of Dennis J. Duffy (GREC LLC).

d. There are a total of 5 pages.

e. The document attached for electronic filing is Request for Naming of Qualified Representative.

(see attached file: 100008.Req4QualifiedRep.Duffy.4-23-10.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

4/26/2010

DOCUMENT NUMBER-DATE
03288 APR 23 09
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Applications for Qualified Representative) Docket No. 100008-OT
Status)
_____) Filed: April 23, 2010

REQUEST FOR NAMING OF QUALIFIED REPRESENTATIVE

Pursuant to Rules 28-106.106 and 28-106.107, Florida Administrative Code ("F.A.C."), Gainesville Renewable Energy Center, LLC ("GREC LLC") requests that Dennis Duffy, an attorney with American Renewables, LLC, be named a qualified representative for GREC LLC in 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, and in any other docketed and undocketed proceedings before the Florida Public Service Commission that may affect GREC LLC's interests. In support of this request, GREC LLC states the following.

1. Mr. Duffy's business address and telephone numbers are as follows:

Dennis J. Duffy
75 Arlington Street, Suite 704
Boston, MA 02116
Telephone (617) 904-3100, ext 112
Facsimile (617) 904-3109

2. Consistent with Rule 28-106.106(2)(a), F.A.C., GREC LLC is aware that it can be represented by counsel as defined in Rule 28-106.106, Florida Administrative Code and that it may also elect representation by Mr. Duffy as its qualified representative.

3. As demonstrated by his attached affidavit, Mr. Duffy possesses the necessary qualifications to responsibly represent GREC LLC's interests in the above-mentioned Docket No. 090451-EM and in any other Commission proceedings that would affect GREC LLC's interests. Mr. Duffy is a member of the Massachusetts Bar and the Rhode Island Bar, and also a member of the Federal Energy Bar Association. He has extensive experience with the licensing,

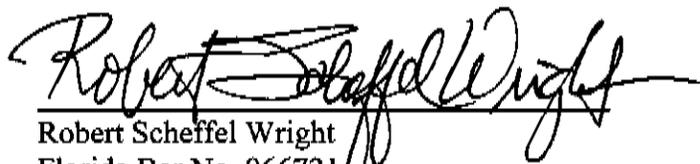
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permitting, and financing of electrical power plants, as well as with other regulatory matters before state and federal regulatory agencies involving electric and gas utility companies, public utility holding companies, interstate gas pipelines, and independent power producers. He is knowledgeable of the factual and legal issues in Docket No. 090451-EM and with a broad range of issues in utility regulatory proceedings generally. He has reviewed the relevant portions of the Florida Statutes relating to the Commission's jurisdiction, and he has reviewed the rules of discovery and evidence, including the concept of hearsay evidence, applicable to Commission proceedings. He has reviewed Rules 28-106.106 and 28-106.107, F.A.C., which delineate the requirements and responsibilities of qualified representatives.

4. In summary, consistent with the standards applicable to qualified representatives, Mr. Dennis Duffy is fully qualified to be named as GREC LLC's qualified representative as requested, and accordingly, the Commission should grant this request.

WHEREFORE, for the foregoing reasons, Gainesville Renewable Energy Center, LLC respectfully requests that this request for naming Mr. Dennis Duffy as a Qualified Representative to appear on behalf of GREC LLC before the Commission be granted.

Respectfully submitted this 23rd day of April 2010.



Robert Scheffel Wright
Florida Bar No. 966721
YOUNG VAN ASSENDERP, P.A.
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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Naming of Qualified Representative has been furnished by electronic mail and U.S. Mail to the following parties on this 23rd day of April, 2010.

Erik Sayler/Martha Carter Brown
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Raymond O. Manasco, Jr.
Gainesville Regional Utilities
P.O. Box 147117
Station A-138
Gainesville, FL 32614-7117

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


Attorney

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Applications for Qualified Representative)
Status)
_____)

Docket No. 100008-OT

Filed: April 19, 2010

AFFIDAVIT OF DENNIS J. DUFFY

DENNIS J. DUFFY, being first duly sworn, states as follows.

1. I am an attorney employed as Vice President of Regulatory Affairs of Energy Management, Inc. ("EMI"), one of the entities that owns American Renewables, LLC, of which Gainesville Renewable Energy Center, LLC ("GREC LLC"), is a subsidiary.
2. As EMI's Vice President of Regulatory Affairs, I advise and represent American Renewables, its affiliates, and its subsidiaries with respect to regulatory and business matters.
3. I have prepared this affidavit in connection with GREC LLC's request that I be named a qualified representative of GREC LLC in connection with the need determination proceedings for the Gainesville Renewable Energy Center electrical power plant project, and also in any other proceedings before the Florida Public Service Commission ("Commission") that may affect GREC LLC's interests.
4. I possess the necessary qualifications to responsibly represent GREC LLC in this need determination proceeding and in any other proceedings before the Commission. I am a member in good standing of the Bar of the Commonwealth of Massachusetts and of the Rhode Island Bar. In my career, I have represented a wide range of energy companies before state and federal regulatory agencies, including electric and gas utility companies, public utility holding companies, interstate gas pipelines, and independent power producers. I have also served as special counsel to the Rhode Island Energy Facility Siting Board.
5. I have knowledge of the Florida Statutes relevant to the Commission's jurisdiction; knowledge of the Florida Rules of Civil Procedure relating to discovery in administrative

proceedings; knowledge of the Florida Administrative Code and Florida Statutes relating to the rules of evidence, including the concept of admissible hearsay evidence in administrative proceedings. I have acquired, or will acquire, knowledge of the factual and legal issues in the need determination proceeding and in any other matters or proceedings in which I appear before the Commission on behalf of GREC LLC.

6. I have knowledge of, am in compliance with, and will comply with the Standards of Conduct for Qualified Representatives contained in Rule 28-106.107, Florida Administrative Code.

I declare that the foregoing is true and correct based on my knowledge, information, and belief.

Dennis J. Duffy
Dennis J. Duffy

Name and Address of Affiant: Dennis J. Duffy
75 Arlington Street, Suite 704
Boston, MA 02116
Telephone (617) 904-3100, ext 112
Facsimile (617) 904-3109

STATE OF MASSACHUSETTS
COUNTY OF SUFFOLK

SWORN TO AND SUBSCRIBED before me this 22nd day of April, 2010, by Dennis J. Duffy, who is personally known to me or who produced and presented _____
RI License _____ as identification.

Laura Martin
Notary Public
My commission expires: July 4, 2014