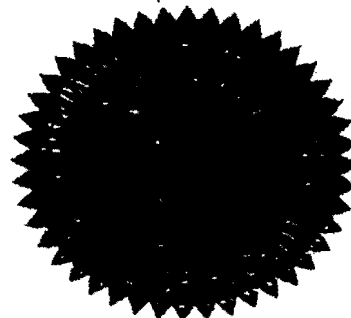


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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.



PROCEEDINGS: PREHEARING CONFERENCE

COMMISSIONER PARTICIPATING: COMMISSIONER NATHAN A. SKOP
PREHEARING OFFICER

DATE: Monday, November 30, 2009

TIME: Commenced at 3:30 p.m.
Concluded at 3:45 p.m.

PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: JANE FAUROT, RPR
Official FPSC Reporter
(850) 413-6732

FLORIDA PUBLIC SERVICE COMMISSION

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1 APPEARANCES:

2 ROY C. YOUNG, ESQUIRE and ROBERT SCHEFFEL
3 WRIGHT, ESQUIRE, Young Law Firm, 225 South Adams Street,
4 Suite 200, Tallahassee, Florida 32301 appearing on
5 behalf of Gainesville Regional Utilities and Gainesville
6 Renewable Energy.

7 ERIK SAYLER, ESQUIRE and MARTHA BROWN,
8 ESQUIRE, FPSC General Counsel's Office, 2540 Shumard Oak
9 Boulevard, Tallahassee, Florida 32399-0850, appearing on
10 behalf of the Florida Public Service Commission Staff.

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P R O C E E D I N G S

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2 **COMMISSIONER SKOP:** Good afternoon. I'd like
3 to call this prehearing to order. Commissioner Skop
4 presiding. If staff could please read the notice.

5 **MR. SAYLER:** By notice issued November 13th,
6 2009, this time and place was set for a prehearing
7 conference in Docket Number 090451-EM, the joint
8 petition to determine need for Gainesville Renewable
9 Energy Center in Alachua County by Gainesville Regional
10 Utilities and Gainesville Renewable Energy Center, LLC.
11 The purpose of the prehearing conference is set forth in
12 the notice.

13 **COMMISSIONER SKOP:** Thank you. We can take
14 appearances.

15 **MR. YOUNG:** Yes, Mr. Commissioner. My name is
16 Roy Young, and I'm representing the applicant in this
17 matter, Gainesville Regional Utilities and Gainesville
18 Renewable Energy Center, LLC.

19 **COMMISSIONER SKOP:** Thank you, Mr. Young. Are
20 you also entering an appearance on behalf of Mr. Wright?

21 **MR. YOUNG:** Pardon?

22 **COMMISSIONER SKOP:** Will you also be entering
23 an appearance on behalf of Mr. Wright?

24 **MR. YOUNG:** Yes.

25 **COMMISSIONER SKOP:** All right, thank you.

1 Staff.

2 **MR. SAYLER:** On behalf of Commission staff,
3 Erik Sayler and Martha Brown.

4 **COMMISSIONER SKOP:** Okay. And no advisory
5 staff?

6 **MS. BROWN:** No, Commissioner.

7 **COMMISSIONER SKOP:** All right, thank you.

8 That brings us to preliminary matters. Are
9 there any preliminary matters that we need to address
10 before we get to the draft prehearing?

11 **MR. SAYLER:** Not that I'm aware of at this
12 time.

13 **COMMISSIONER SKOP:** Okay, great.

14 At this point I'm going to go through the
15 draft prehearing order, and I'll identify the sections,
16 and I want the parties to get me know if there are any
17 corrections or changes that need to be made. I'll go
18 through this rather quickly, so, again, please speak up
19 if you have any changes or corrections that need to be
20 made.

21 Let's start with Section I, case background.
22 Hearing no comments; Staff?

23 **MR. SAYLER:** No changes.

24 **COMMISSIONER SKOP:** Thank you.

25 Section II, conduct of proceedings.

1 Hearing no changes; Staff?

2 **MR. SAYLER:** No.

3 **COMMISSIONER SKOP:** Section III, jurisdiction.
4 Hearing no changes; Staff?

5 **MR. SAYLER:** No.

6 **COMMISSIONER SKOP:** Section IV, procedure for
7 handling confidential information. Hearing no concerns;
8 Staff?

9 **MR. SAYLER:** No changes.

10 **COMMISSIONER SKOP:** Great. Section V,
11 prefiled testimony, exhibits, witnesses. Any comments
12 or concerns there? Okay.

13 I'd like to ask the parties if they're willing
14 to shorten or dispense with the witness summary?
15 Typically we provide five minutes. Is that going to be
16 acceptable?

17 **MR. YOUNG:** Yes, sir.

18 **COMMISSIONER SKOP:** Okay. Staff, any concerns
19 on that?

20 **MR. SAYLER:** No, Commissioner.

21 **COMMISSIONER SKOP:** Okay. Let's move to
22 Section VI, order of witnesses.

23 And at this point I just wanted to ask the
24 parties whether there is a willingness to stipulate any
25 of the witnesses at this point?

1 **MR. SAYLER:** At this time staff is not able to
2 stipulate to any of the witnesses. We will contact the
3 utility with regard to one or two potential.

4 **COMMISSIONER SKOP:** Very well. Thanks.

5 **MR. YOUNG:** I would point out the Mayor on, I
6 guess it's Page 4, you'll note that the Mayor is listed
7 as a witness there, and you'll note a footnote, she will
8 be in Copenhagen for a meeting at the exact same time.
9 And what we plan to do and hope to do is just substitute
10 a witness at that time.

11 **COMMISSIONER SKOP:** Show it done.

12 **MR. YOUNG:** Thank you.

13 **COMMISSIONER SKOP:** Let's move on to
14 Section VI, order of witnesses. Actually, we just
15 covered that, so I stand corrected.

16 Let's move on to Section VII, basic positions.
17 Hearing no concerns. Staff?

18 **MR. SAYLER:** No concerns. Staff at this time
19 is still in the midst of coming to its position on the
20 matters, but staff also notes that staff is not required
21 to take a position at this time or prior to the hearing.

22 **COMMISSIONER SKOP:** Very well. That takes us
23 to Section VIII, issues and positions.

24 I just wanted to ascertain whether the parties
25 had any questions about the issues, or I guess we could

1 go through the issues issue-by-issue, but if that's not
2 necessary we can dispense with that and leave the issues
3 as they are.

4 **MR. YOUNG:** I think we're fine. Staff,
5 hopefully, is still agreeable to stipulate on Issue 1.

6 **COMMISSIONER SKOP:** Staff?

7 **MR. SAYLER:** Staff is willing to stipulate to
8 Issue 1.

9 **COMMISSIONER SKOP:** Let me briefly turn to
10 that.

11 **MR. YOUNG:** And I think the other issues are
12 the standard issues for a need case.

13 **COMMISSIONER SKOP:** Very well. Show that
14 done. And that takes us to Section IX, which is the
15 exhibits list. Hearing no concerns; Staff?

16 **MR. SAYLER:** No concerns. Staff will also be
17 providing a Comprehensive Exhibit List to the parties --
18 or Staff's Composite Exhibit List to the parties for
19 potential stipulation.

20 **COMMISSIONER SKOP:** Very well.

21 That brings us to Section X, proposed
22 stipulations. And as we just mentioned, there is a
23 proposed stipulation on Issue 1 that has already been
24 entered.

25 Any additional stipulations?

1 **MR. SAYLER:** None that I'm aware of.

2 **COMMISSIONER SKOP:** Very well.

3 That takes us to Section XI, pending motions.

4 **MR. SAYLER:** None that I'm aware of.

5 **COMMISSIONER SKOP:** Thank you. Section XII,
6 pending confidentiality motions.

7 **MR. SAYLER:** There are several pending
8 confidentiality requests and these will be addressed by
9 separate order. And we will notate that in the draft
10 prehearing order, as well.

11 **COMMISSIONER SKOP:** Okay. Very well.

12 That takes us to Section XIII, post-hearing
13 procedures. And, again, the current policy in terms of
14 the number of words in the post-hearing positions is
15 typically 50 words and the max number of pages in the
16 post-hearing brief is typically limited to 40. Is that
17 going to be adequate for the parties?

18 **MR. YOUNG:** Yes, sir.

19 **COMMISSIONER SKOP:** Okay. Staff is that going
20 to be --

21 **MR. SAYLER:** Yes, sir.

22 **COMMISSIONER SKOP:** Show it done.

23 And with respect to the next section, which
24 will be Section XIV, rulings, I'm going to set a minimum
25 of five minutes for opening statements with not to

1 exceed maximum of ten minutes. And I just want to make
2 sure that should also be sufficient for the parties?

3 **MR. YOUNG:** Yes, sir.

4 **COMMISSIONER SKOP:** Very well. Staff, any
5 concerns on that?

6 **MR. SAYLER:** No. However, could we just list
7 it as opening statements, if any, shall not exceed ten
8 minutes per party?

9 **COMMISSIONER SKOP:** That would be fine.

10 Any other matters that we need to consider
11 before we adjourn?

12 **MR. SAYLER:** Staff will request, to the extent
13 the parties' position changed due to discussion at or
14 following the prehearing conference, that they provide
15 any changes to staff by close of business on Friday,
16 December 4th, 2009.

17 **COMMISSIONER SKOP:** Very good. And the
18 parties --

19 **MR. YOUNG:** That's agreeable.

20 **COMMISSIONER SKOP:** -- can comply with that
21 deadline? Okay. All right. Any other matters before
22 us today? All right.

23 Hearing none, we stand adjourned. Thank you.

24 (The prehearing concluded at 3:45 p.m.)

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STATE OF FLORIDA)

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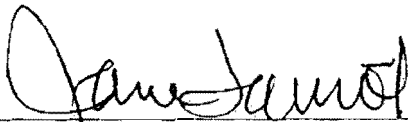
COUNTY OF LEON)

I, JANE FAUROT, RPR, Chief, Hearing Reporter Services Section, FPSC Division of Commission Clerk, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

IT IS FURTHER CERTIFIED that I stenographically reported the said proceedings; that the same has been transcribed under my direct supervision; and that this transcript constitutes a true transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED THIS 7th day of December, 2009.



JANE FAUROT, RPR
Official FPSC Hearings Reporter
(850) 413-6732