

**Before The  
FLORIDA PUBLIC SERVICE COMMISSION**

IN RE:

Docket No. 100009-EI

Nuclear Cost Recovery Clause.

Filed: September 2, 2010

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**BRYAN ANDERSON'S REQUEST FOR ORAL ARGUMENT  
ON HIS MOTION TO QUASH SUBPOENA AND  
REQUEST FOR DETERMINATION BY FULL COMMISSION**

Pursuant to Rule 25-22.0022, Florida Administrative Code, Mr. Bryan S. Anderson hereby requests oral argument on his Motion To Quash Subpoena And Request For Determination By Full Commission ("Motion"). Oral argument will aid in the Commission's understanding and evaluation of the issues to be decided as follows:

1. Oral argument would allow counsel for Mr. Anderson to further discuss the legal standards for granting a motion to quash a subpoena seeking to compel the testimony of a party attorney.<sup>1</sup>
2. Oral argument would allow counsel for Mr. Anderson to further discuss and respond to questions from the Commission about Mr. Anderson's role at Florida Power & Light Company ("FP&L") so as to determine whether the three part test for compelling a party attorney to testify has been met. These are factual issues specific to this case for which the Commission would benefit from oral argument.<sup>2</sup>

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<sup>1</sup> See *In re: Notice of adoption of existing interconnection agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast and Sprint Communications Company Limited Partnership, Sprint Communications Company L.P., Sprint Spectrum L.P., by NPCR, Inc. d/b/a Nextel Partners*, Docket No. 070368-TP; Order No. PSC-08-0415-FOF-TP; 2008 Fla. PUC Lexis 248 at \*8, 08 FPSC 6:115 (June 23, 2008) (granting request for oral argument that would aid the Commission in "understanding and evaluating the legal bases" of the relief sought).

<sup>2</sup> See *In re: Application for original certificates for proposed water and wastewater system, in Hernando and Pasco Counties, and request for initial rates and charges, by Skyland Utilities, LLC*, Docket No. 090478-WS; Order No. PSC-10-0123-FOF-WS; 2010 Fla. PUC Lexis 169 at \*5 (March 1, 2010) (granting request for oral argument where there were "factual and legal issues specific and unique with respect to this matter").

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3. Oral argument would allow counsel for Mr. Anderson to further explain how the attorney-client relationship is substantially impacted and the other policy concerns that are implicated when a subpoena is issued to a party attorney.<sup>3</sup>

WHEREFORE, movant Bryan S. Anderson requests oral argument of ten (10) minutes on his Motion at the Commission's convenience.

Respectfully submitted,

s/ Harry O. Thomas

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<sup>3</sup> See *In re: Application for amendment of Certificates 611-W and 527-S extend water and wastewater service areas to include certain land in Charlotte County by Sun River Utilities, Inc.*, Docket No. 070109-WS, Order No. PSC-07-0972-PCO-WS, 2007 Fla. PUC Lexis 628 at \*3, 07 FPSC 12:43 (December 5, 2007) (granting request for oral argument where it was alleged that "[t]he impacts of the Commission's decisions are substantial, not only for the parties involved, but for future litigants facing the same or similar situations").

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing document has been furnished by U.S. Mail or electronically, on this 2nd day of September, 2010, to the parties listed below:

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