

John T. Butler, Esq. Managing Attorney Florida Power & Light Company 700 Universe Boulevard Juno Beach, FL 33408-0420 (561) 304-5639 (561) 691-7135 (Facsimile) E-mail: john.butler@fpl.com

December 22, 2011

# VIA OVERNIGHT MAIL

Ms. Ann Cole, Director Division of the Commission Clerk and Administrative Services Florida Public Service Commission Betty Easley Conference Center, Room 110 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

## Re: Florida Power & Light Company's Request for Naming of Qualified Representative Docket No. 110008-OT

Dear Ms. Cole:

I am enclosing the original and seven (7) copies of Florida Power & Light Company's ("FPL") Request for Naming of R. Wade Litchfield as Qualified Representative to be filed in the above-referenced docket.

Please indicate receipt of this document by stamping the enclosed extra copy of this letter. Also included herewith is a CD containing FPL's Request in Word. Please contact me should you or your staff have any questions regarding this filing.

Sincerely. hn T. Butler

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#### **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Application for Qualified Representative Status

Docket No. 110008-0T Date Filed: December 22, 2011

## **REQUEST FOR NAMING OF R. WADE LITCHFIELD AS QUALIFIED REPRESENTATIVE**

Pursuant to Rule 28-106.107, Florida Administrative Code, Florida Power & Light Company ("FPL") requests that R. Wade Litchfield, Vice President and General Counsel, be named a qualified representative of FPL as previously approved in Order No. PSC-11-0016-FOF-OT for all docketed and non-docketed matters currently before the Commission and for any new matters in Calendar Year 2012 or such additional period as the Commission may authorize. FPL is aware that it can be represented by counsel as defined in Rule 28-106.106, Florida Administrative Code and may also elect such representation.

Attached hereto is a sworn Affidavit setting forth Mr. Litchfield's qualifications. Mr. Litchfield's business address is 700 Universe Boulevard, Juno Beach, FL 33408, telephone number (561) 691-7101.

WHEREFORE, for the above and foregoing reasons, Florida Power & Light Company respectfully requests that its Request for Naming of Qualified Representative be granted.

Respectfully submitted,

John T. Butler Managing Attorney Florida Bar No.283479 Florida Power & Light Company 700 Universe Boulevard Juno Beach, Florida 33408-0420 (561) 304-5639 Tel: (561) 691-7135 Fax:

DOCUMENT NO.

DATE

#### **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 U.S. Mail to the following parties on this 22<sup>nd</sup>

day of December 2011.

Curt Kiser General Counsel Florida Public Service Commission Division of Legal Services 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

By:

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John T. Butler Managing Attorney Florida Bar No.283479 Plorida Power & Light Company 700 Universe Boulevard Juno Beach, Florida 33408-0420 Tel: (561) 304-5639 Fax: (561) 691-7135

#### **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Application for Qualified Representative ) Docket No. 110008-OT Status ) Date Filed: December 22, 2011

| STATE OF FLORIDA     | ) |                                 |
|----------------------|---|---------------------------------|
|                      | ) | AFFIDAVIT OF R. WADE LITCHFIELD |
| COUNTY OF PALM BEACH | ) |                                 |

BEFORE ME, the undersigned authority, personally appeared R. Wade Litchfield who,

being first duly sworn, did depose and say:

1. My name is R. Wade Litchfield. I am employed by Florida Power & Light Company ("FPL") as Vice President and General Counsel. My business address and telephone number are as follows:

> Florida Power & Light Company 700 Universe Boulevard Juno Beach, Florida 33408-0420 Telephone: (561) 691-7101 Facsimile: (561) 691-7135

2. I have personal knowledge of the matters stated in this Affidavit.

3. I am an attorney, admitted to the practice of law in the State of New York and in the State of Louisiana. I have practiced extensively before the Louisiana Public Service Commission, and the Council for the City of New Orleans, in matters relating to the regulation of utilities. Representing both gas and electric utilities, I have made appearances and participated in numerous regulatory proceedings. Such proceedings include general rate cases and earnings reviews, as well as proceedings involving, among other subjects, rate design, rate application,

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depreciation rates, affiliate transactions, nuclear decommissioning, integrated resource planning, conservation programs, incentive rate plans, franchise or service territory rights, and pole attachments. I also have made appearances or participated in rulemaking and other proceedings before the Louisiana Commissioner of Conservation, the Public Utility Commission of Texas, the Arkansas Public Service Commission, the Federal Energy Regulatory Commission, and the Federal Communications Commission. In addition, I have previously appeared before this Commission as a qualified representative in numerous matters such as base rate, clause and other cost recovery proceedings as well as Power Plant Siting Act proceedings, including Docket Nos. 001148-EI, 020262-EI, 020263-E1, 030884-EU, 040206-EI, 041291-EI, 050045-EI, 050188-EI, 070432-EI, 070602-EI, 070650-EI and 080677-EI.

4. I have reviewed portions of the Florida Statutes relating to jurisdiction of the Florida Public Service Commission, and the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding. I also have reviewed portions of the Florida Administrative Code and Florida Statutes relative to the rules of evidence, including the concept of hearsay in an administrative proceeding. The foregoing rules and statutory provisions generally are consistent with those with which I have experience and am familiar.

5. I have been certified by the Supreme Court of Florida as "Authorized House Counsel" pursuant to Chapter 17 of the Rules Regulating the Florida Bar. Accordingly, I am subject to the Rules Regulating the Florida Bar and to the jurisdiction of the Supreme Court of Florida for disciplinary purposes.

6. I have reviewed Rule 28-106.107 of the Florida Administrative Code and agree to abide by its standards.

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7. Consistent with the standard set forth in Rule 28-106.107, I have acquired or will acquire knowledge of the factual and legal issues involved insofar as my representation of Florida Power & Light Company is concerned in proceedings before this Commission.

8. Affiant says nothing further.

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SUBSCRIBED AND SWORN TO before me this 22<sup>nd</sup> day of December 2011, by

R. Wade Litchfield, who is personally known to me, and who did take an oath.

Notary Public State of Florida Elizabeth Carrero My Commission DD853827 Elizabeth arrevo Notary Expires 02/18/2013 tate of Florida

My Commission Expires: