

505 ORIGINAL FILE COPY

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Petition for Declaratory Statement Regarding Eligibility For Standard Offer Contract And Payment Thereunder By Florida Power Corporation

DOCKET NO. 950110-EI

RENEWED NOTICE OF APPEARANCE OF NEW COUNSEL AND NOTICE OF WITHDRAWAL OF PRIOR COUNSEL

COMES NOW, PANDA-KATHLEEN, L.P./PANDA ENERGY COMPANY, [hereinafter "Panda"], by and through its undersigned counsel, and respectfully files this Renewed Notice of Appearance of New Counsel herein, and provides the following:

1. On November 15, 1995, the undersigned counsel entered its Notice of Appearance on behalf of Panda, filing such Notice with the Commission, and providing copies thereof to PSC Staff, counsel for Florida Power Corporation, and to Panda's prior counsel.<sup>1</sup>

2. By Notice dated November 15, 1995, John Marks, Esquire, of Katz, Kutter, et al., filed his Notice of Withdrawal as counsel for Panda. By Notice dated November 17, 1995, Kenneth W. Sukhia, Esquire, David W. Moye, Esquire, and Eric S. Haug, Esquire, of Fowler, White, et al., filed their Notice of Withdrawal as counsel for Panda. [Copies of such Notices are attached hereto as Exhibits "A" and "B"].

3. Raymond C. Besing, Esquire, as a member of the Texas Bar, had entered his appearance herein by and through Fowler, White, et

<sup>1</sup>John Marks, Esquire, of Katz, Kutter, et al.; Barrett G. Johnson, Esquire, of Johnson & Associates, P.A.; Kenneth W. Sukhia, Esquire, David W. Moye, Esquire and Eric S. Haug, Esquire, of Fowler, White, et al.; and Raymond C. Besing, Esquire.

*Pumping Station*  
CK ✓  
FA \_\_\_\_\_  
PP \_\_\_\_\_  
AF \_\_\_\_\_  
MU \_\_\_\_\_  
TR \_\_\_\_\_  
AG *Hoff*  
EG *11*  
IN *5*  
JPC \_\_\_\_\_  
RCH \_\_\_\_\_  
SEC *1*  
WAS \_\_\_\_\_  
QTR \_\_\_\_\_

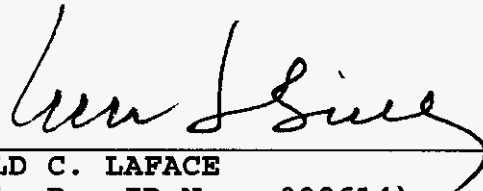
DOCUMENT NUMBER-DATE  
753 DEC 19 95  
RECORDS/REPORTING

al. Although Besing has not filed his own individual Notice of Withdrawal, he acknowledges and has advised undersigned counsel to represent that he has no further involvement in representing Panda, and that his representation ended on or about November 15, 1995, the date undersigned counsel entered its Notice of Appearance on behalf of Panda. Barrett G. Johnson similarly has had no further involvement in representation of Panda subsequent to November 15, 1995.

4. Florida Power Corporation, however, continues to include in its Certificate of Service, former counsel for Panda, Barrett G. Johnson, Raymond C. Besing, and Eric S. Haug, and by implication suggests that such a legal team somehow transitions into undersigned new counsel being a part of the original counsel for Panda in these proceedings. On the contrary, undersigned counsel's appearance herein on November 15, 1995 was and is an appearance as entirely new counsel, with no involvement herein by former counsel from that point forward.

Respectfully submitted,

**GREENBERG, TRAURIG, HOFFMAN, LIPOFF,  
ROSEN & QUENTEL, P.A.**  
101 East College Avenue  
Post Office Drawer 1838  
Tallahassee, FL 32302  
(904) 222-6891

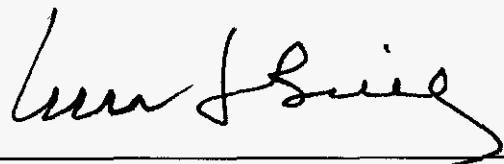


---

**RONALD C. LAFACE**  
(Fla Bar ID No. 098614)  
**LORENCE JON BIELBY,**  
(Fla Bar ID No. 0393517)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail/~~Hand Delivery/Telecopy~~ to Donald R. Schmidt, Post Office Box 2861, Saint Petersburg, Florida 33731, by U.S. Mail/~~Hand Delivery/Telecopy~~ to Robert Vandiver, and Martha Carter-Brown, Florida Public Service Commission, 2450, Shumard Oak Boulevard, Tallahassee, Florida 32399-0892, by U.S. Mail/~~Hand Delivery/Telecopy~~ to James A. McGee, Esquire, Jeffrey A. Froeschle, Esquire, Post Office Box 14042, St. Petersburg, Florida 33733-4042, by U.S. Mail/~~Hand Delivery/Telecopy~~ to Ed Gwynn, Panda-Kathleen, L.P., 4100 Spring Valley Road, #1001, Dallas, Texas 75244, and, only for the purpose of a certificate of service for this Renewed Notice, U.S. Mail/~~Hand Delivery/Telecopy~~ to Raymond C. Besing, Esquire, 1100 St. Paul Place, 750 North St. Paul, Dallas, Texas 75201, John R. Marks, III, Esquire, Katz, Kutter, et al., 106 E. College Avenue, Suite 1200, Tallahassee, Florida 32301; Kenneth W. Sukhia, Esquire, Eric S. Haug, Esquire, David W. Moye, Esquire, Fowler, White, et al., Post Office Box 11240, 101 North Monroe Street, Suite 1090, Tallahassee, Florida 32302; Barrett G. Johnson, Esquire, Johnson & Associates, P.A., Post Office Box 1308, Tallahassee, Florida 32302, this 19<sup>th</sup> day of DECEMBER, 1995.



RONALD C. LAFACE

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Standard Offer Contract for )  
the Purchase of Firm Capacity and )  
Energy from a Qualifying Facility )  
Between Panda-Kathleen, L.P. and )  
Florida Power Corporation )  
\_\_\_\_\_ )

Docket No. 950110-EI

NOTICE OF WITHDRAWAL OF COUNSEL

Without objection from Panda Kathleen, L.P., the law firm of Katz, Kutter, Haigler, Alderman, Marks, Bryant, & Yon, P.A. hereby files this Notice of Withdrawal as counsel for Panda Kathleen, L.P. in the above referenced matter. Panda Kathleen, L.P. has retained other counsel to represent them in this matter.



John R. Marks, III, Esquire  
Florida Bar No. 143026  
Katz, Kutter, Haigler, Alderman, Marks,  
Bryant & Yon, P.A.  
106 East College Avenue, Suite 1200  
Tallahassee, Florida 32301  
(904) 224-9634



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by regular U.S. Mail to James A. McGee, Florida Power Corporation, 3201 Thirty-fourth Street, South, Post Office Box 14042, St. Petersburg, Florida 33733-4042, Eric S. Haug, Fowler, White, Gillen, Boggs, Villareal & Banker, Post Office Box 11240, Tallahassee, Florida 32302, Robert Vandiver and Martha Carter-Brown, Florida Public Service Commission, Division of Legal Services, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0850, David Mayer, Panda Kathleen, L.P., 4100 Spring Valley, Suite 1001, Dallas, Texas 75244, Raymond C. Besing, 1100 St. Paul Place, 750 North St. Paul, Dallas, Texas 75201 and Ronald LaFace, Greenberg, Traurig, Hoffman, Lipoff, Rosen & Quentel, 101 East College, Avenue, Tallahassee, Florida 32301 this 15<sup>th</sup> day of November, 1995.

  
John R. Marks, III

NOV 20 1995

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION GREENBERG TRAUIG

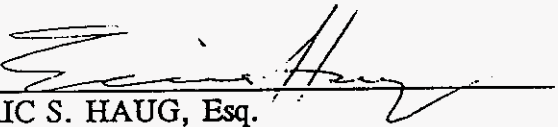
In Re: Petition for Declaratory Statement  
Regarding Eligibility for Standard  
Offer Contract and Payment Thereunder  
by Florida Power Corporation

Docket No. 950110-EI

NOTICE OF WITHDRAWAL OF COUNSEL

Kenneth W. Sukhia, David W. Moyé and Eric S. Haug, of the law firm of Fowler, White, Gillen, Boggs, Villareal & Banker, P.A., hereby file this Notice of Withdrawal as counsel for Panda-Kathleen L.P. because the law firm of Greenberg, Traurig, Hoffman, Lipoff, Rosen & Quentel, P.A. now represents them in the above styled matter.

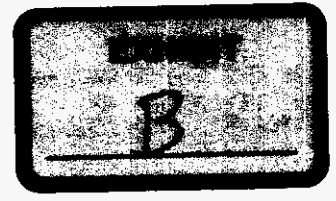
FOWLER, WHITE, GILLEN, BOGGS,  
VILLAREAL & BANKER, P.A.



ERIC S. HAUG, Esq.  
Florida Bar No. 0850713  
KENNETH W. SUKHIA, Esq.  
Florida Bar No. 266256  
DAVID W. MOYÉ  
Florida Bar No. 782350  
P. O. Box 11240  
101 N. Monroe Street, Suite 1090  
Tallahassee, Florida 32302  
904/681-0411

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the following by U. S. Mail this 17<sup>th</sup> day of November, 1995.



Donald R. Schmidt, Esq.  
Carlton, Fields, Ward, Emmanuel,  
Smith and Cutler, P.A.  
One Harbour Place  
777 South Harbour Island Drive  
Tampa, Florida 33602

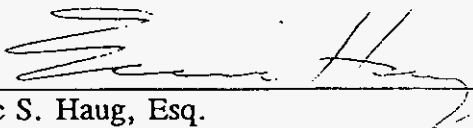
Sylvia H. Walbolt, Esq.  
Alan C. Sundberg, Esq.  
Steven C. Dupré, Esq.  
Randall J. Love, Esq.  
Carlton, Fields, Ward, Emmanuel,  
Smith and Cutler, P.A.  
P. O. Box 2861  
St. Petersburg, Florida 33731

Attorneys for Florida Power Corporation

Robert Vandiver, Esq.  
Richard C. Bellak, Esq.  
Martha Carter-Brown, Esq.  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0862  
Attorneys for the Public Service Commission

James A. McGee, Senior Counsel  
James P. Fama, Deputy General Counsel  
Office of the General Counsel  
Florida Power Corporation  
Post Office Box 14042  
St. Petersburg, Florida 33731

Ronald C. LaFace, Esq.  
Lorence Jon Bielby, Esq.  
Greenberg, Traurig, Hoffman, Lipoff,  
Rosen & Quentel, P.A.  
Post Office Drawer 1838  
Tallahassee, FL 32302

  
Eric S. Haug, Esq.