

# BEGGS & LANE

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CHARLES T. WIGGINS  
JOHN F. WINDHAM

September 6, 2007

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07 SEP -7 PM 1:47  
COMMISSION  
CLERK

Ms. Ann Cole, Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

RE: Docket 070008-OT

Dear Ms. Cole:

Enclosed is an original and fifteen copies of Gulf Power Company's Expedited Request for Naming of Qualified Representative dated September 7, 2007.

Sincerely,

*Mary E. Davis*  
Mary E. Davis  
Legal Secretary to Jeffrey A. Stone  
and Russell A. Badders

CMP \_\_\_\_\_  
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SEC \_\_\_\_\_  
OTH \_\_\_\_\_

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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Applications for qualified representative ) Docket No. 070008-OT  
status ) Date Filed: September 7, 2007  
\_\_\_\_\_ )

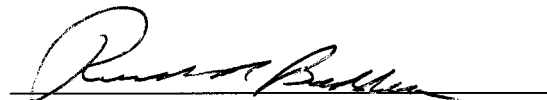
EXPEDITED REQUEST FOR NAMING OF  
QUALIFIED REPRESENTATIVE

Pursuant to Rule 28-106.107, Florida Administrative Code, Gulf Power Company (“Gulf Power”) requests that Eric B. Langley, an attorney with the law firm Balch & Bingham LLP, be named a qualified representative of Gulf Power in all docketed and non-docketed matters currently before the Commission and in any new matters in calendar year 2007 or such additional period as the Commission may authorize. Gulf Power 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. Langley’s qualifications as well as a Certificate of Good Standing from the United States District Court Northern District of Alabama. Mr. Langley’s address is 1710 Sixth Avenue North, Birmingham, Alabama, 35203, and his telephone number is (205)226-8772.

WHEREFORE, for the above and foregoing reasons, Gulf Power respectfully requests that this Request for Naming of Qualified Representative be granted.

Respectfully submitted,



**Russell A. Badders**

Florida Bar No. 0007455

**BEGGS & LANE**

P.O. Box 12950

Pensacola, Florida 32591-2950

(850)432-2451

**Attorneys for Gulf Power Company**

DOCUMENT NUMBER-DATE

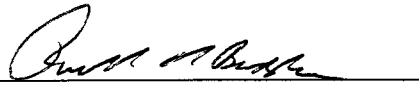
08130 SEP-7 5

FPSC-COMMISSION CLERK

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Expedited Request for Naming of Qualified Representative has been furnished by Federal Express to the following on this 7<sup>th</sup> day of September 2007:

Michael G. Cooke  
General Counsel  
Florida Public Service Commission  
Division of Legal Services  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

  
OF COUNSEL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for Naming of )  
Qualified Representative )

Docket No.: 060008-OT

Filed: September 7, 2007

AFFIDAVIT OF ERIC B. LANGLEY

STATE OF ALABAMA  
COUNTY OF JEFFERSON

1. My name is Eric B. Langley. I am an attorney with the law firm Balch & Bingham LLP. From time to time I serve as outside counsel for Gulf Power Company ("Gulf Power"), particularly in connection with joint use or "pole attachment" matters.

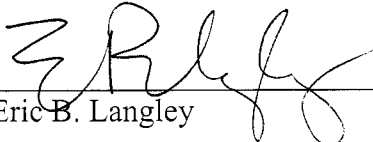
2. I am a member of good standing of the Bar of the State of Alabama and am seeking to be designated as a qualified representative in the above-captioned docket pursuant to Rule 28-106.106, Florida Administrative Code.

3. Gulf Power hired me to work along side its regular outside counsel, Beggs & Lane LLC, in connection with the pending review of the "hardening" plans submitted by the Florida investor owned electric utilities. I have represented Gulf Power in proceedings before the Federal Communications Commission, and in other matters relating to pole attachments.

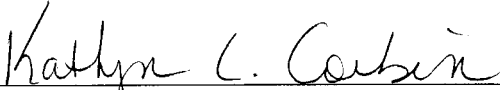
4. On August 30, 2006 I was authorized by the Commission in Order No. PSC-06-0732-FOF-OT to appear as a qualified representative in all docketed and undocketed matters during the period ending calendar year 2006. A copy of that order is attached hereto.

5. I am familiar with the relevant portions of the Florida Statutes, the Florida Rules of Civil Procedure, the Florida Administrative Code, the Florida Rules of Evidence, and Rule 28-106.107, Florida Administrative Code. Further, I expect that all work I perform in the Commission will be in conjunction with a member of the Florida Bar.

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

  
Eric B. Langley

SWORN TO AND SUBSCRIBED before me this 5 day of September 2007, by Eric B. Langley, who is personally known to me.

  
NOTARY PUBLIC, State of Alabama  
My Commission Expires: June 1, 2011

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Applications for qualified representative  
status.

DOCKET NO. 060008-OT  
ORDER NO. PSC-06-0732-FOF-OT  
ISSUED: August 30, 2006

ORDER AUTHORIZING APPEARANCE  
AS QUALIFIED REPRESENTATIVE

On August 25, 2006, Gulf Power Company ("Gulf Power") filed pursuant to Rule 28-106.106, Florida Administrative Code, its written request that Mr. Eric B. Langley, Esquire, be allowed to appear as its Qualified Representative in all docketed and undocketed matters during this calendar year. The business address and contact information for Mr. Langley is as follows:

Mr. Eric B. Langley, Esquire  
Balch & Bingham LLP  
1710 Sixth Avenue North  
Birmingham, AL 35203  
(205) 226-8772

Based on the information contained in the request and accompanying affidavit, Mr. Langley has the necessary qualifications to represent Gulf Power's interests as stated in Rule 28-106.106(4), Florida Administrative Code.

Accordingly, it is

ORDERED by Chairman Lisa Polack Edgar, as Presiding Officer, that Mr. Eric B. Langley, Esquire, is hereby authorized to appear as Gulf Power Company's Qualified Representative, in any undocketed or docketed matter during the period ending calendar year 2006.

By ORDER of Chairman Lisa Polak Edgar, as Presiding Officer, this 30th day of August, 2006.



LISA POLAK EDGAR  
Chairman and Presiding Officer

(SEAL)

PKW

DOCUMENT NUMBER-DATE

07970 AUG 30 8

FPSC-COMMISSION CLERK

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request:

- 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or
- 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

**UNITED STATES DISTRICT COURT**  
Northern District of Alabama  
Office of the Clerk  
Room 140, 1729 5th Avenue North  
Birmingham, Alabama 35203  
(205) 278-1700

Sharon Harris  
Clerk

**CERTIFICATE OF GOOD STANDING**

I, Sharon Harris, Clerk of the United States District Court, Northern District of Alabama,

**DO HEREBY CERTIFY** that **ERIC B. LANGLEY** was duly admitted to practice in said Court on **October 29, 1998**, and is in good standing as a member of the bar of said Court.

Dated at Birmingham, Alabama, on July 17, 2007.

SHARON HARRIS, CLERK

By: Shirley Brown  
Deputy Clerk