

Ruth Nettles

From: Al Taylor [Al.Taylor@bbrslaw.com]
Sent: Wednesday, January 21, 2009 2:02 PM
To: Filings@psc.state.fl.us
Cc: Jay Brew
Subject: Docket 090008-OT - PCS Phosphate Request for Qualified Representative (Brew)
Attachments: PCS Qualified Representative JWB.pdf

- a. Person responsible for filing

James W. Brew
Brickfield, Burchette, Ritts & Stone, P.C.
1025 Thomas Jefferson Street, N.W.
Eighth Floor West Tower
Washington, D.C. 20007
Tel: (202) 342-0800
Fax: (202) 342-0807
jwb@bbrslaw.com

*Done
01/21/09
KMP*

- b. Docket No. 090008-OT, In Re: Applications for qualified representative status
c. Filed on behalf of White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs
d. Total Pages = 5
e. Request for Naming of Qualified Representative (Brew)

F. Alvin Taylor
BRICKFIELD BURCHETTE RITTS & STONE, PC
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Washington, DC 20007
202-342-0800
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DOCUMENT NUMBER-DATE

00529 JAN 21 09

FPSC-COMMISSION CLERK

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

**In Re: Applications for qualified
representative status**

**Docket No. 090008-OT
Filed: January 21, 2009**

**REQUEST FOR NAMING OF
QUALIFIED REPRESENTATIVE**

Pursuant to Rules 28-106.106 and 28-106.107, Florida Administrative Code, White Springs Agricultural Chemicals Inc. d/b/a PCS Phosphate – White Springs (“White Springs”) requests that James W. Brew, an attorney with the law firm Brickfield, Burchette, Ritts & Stone P.C., be named a qualified representative for White Springs in Docket No. 080001-EI, In Re: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive and in all other docketed and non-docketed matters before the Commission.

1. Mr. Brew’s business address is as follows:

James W. Brew
Brickfield, Burchette, Ritts & Stone P.C.
1025 Thomas Jefferson St., NW, Eighth Floor, West Tower
Washington, D.C. 20007
(202) 342-0800
(202) 342-0807 (fax)
jbrew@bbrslaw.com

2. Consistent with Rule 25-106.106(2)(b), White Springs is aware that it can elect to be represented solely by “counsel,” as that term is defined by Rule 28-106.106(1) of the Florida Administrative Code.

DOCUMENT NUMBER - DATE

00529 JAN 21 09

FPSC-COMMISSION CLERK

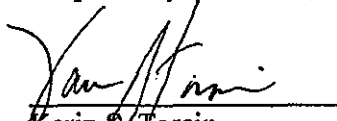
3. White Springs submits that Mr. Brew possesses the necessary qualifications to continue to responsibly represent White Springs' interests in these matters. In this regard, Mr. Brew's qualifications are set forth in the attached affidavit.

4. As reflected in Mr. Brew's affidavit, he: (i) is an attorney admitted to practice in the State of New York State and the District of Columbia, (ii) has reviewed those portions of the Florida Statutes relative to the Commission's jurisdiction, (iii) has reviewed the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding, and (iv) has reviewed those portions of the Florida Administrative Code and Florida Statutes related to the rules of evidence, including the concept of hearsay in an administrative proceeding.

5. Consistent with the standard set forth in Rule 28-106.107, Mr. Brew has acquired or will acquire actual knowledge of the factual and legal issues involved insofar as his representation of White Springs is concerned in the above-referenced matters.

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

Respectfully submitted,



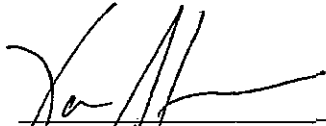
Karin S. Torain
Legal Counsel
PCS Administration (USA), Inc.
Suite 400
Skokie Boulevard
Northbrook, IL 60062
KSTorain@potashcorp.com
(847) 849-4291

January 21, 2009

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Request for Naming of Qualified Representative has been furnished electronically and by U.S. Mail to the following on this 21st day of January, 2009:

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



Karin S. Torain
Legal Counsel
PCS Administration (USA), Inc.
Suite 400
Skokie Boulevard
Northbrook, IL 60062
KSTorain@potashcorp.com
(847) 849-4291

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

**In Re: Applications for qualified
representative status**

**Docket No. 090008-OT
Filed: January 21, 2009**

AFFIDAVIT

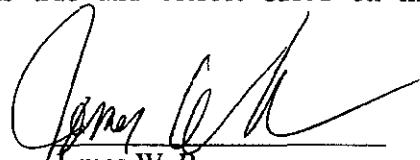
JAMES W. BREW, being first duly sworn, states that:

1. I am an attorney with the law firm Brickfield, Burchette, Ritts & Stone P.C.
2. I represent White Springs Agricultural Chemicals Inc. d/b/a PCS Phosphate – White Springs (“White Springs”) in connection with certain regulatory matters relating to energy services.
3. I have prepared this affidavit in connection with White Springs’ request that I be named a qualified representative of White Springs in all docketed and non-docketed matters before the Florida Public Service Commission (“Commission”). I have previously requested and received qualified representative status for White Springs concerning matters before the Commission.
4. I possess the necessary qualifications to responsibly represent White Springs in all docketed and non-docketed matters before the Commission.
5. I am a member in good standing of the bars of New York State and the District of Columbia; and have practiced extensively before utility regulatory agencies and authorities, including the Commission, the Public Service Commissions of New York,

Kentucky, Missouri, Pennsylvania, Rhode Island and Indiana, and the Federal Energy Regulatory Commission.

6. I have knowledge of the Florida Statutes relevant to the Commission's jurisdiction; knowledge of the Florida Rules of Civil Procedure relating to discovery in administrative proceedings; knowledge of the Florida Administrative Code and Florida Statutes relative to the rules of evidence, including the concept of hearsay in administrative proceedings. I have acquired or will acquire knowledge of the factual and legal issues in these matters, and have knowledge of, am in compliance with and will comply with the Standards of Conduct for qualified representatives contained in Rule 28-106.107, Florida administrative Code.

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

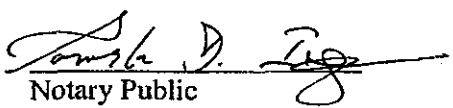

James W. Brew

Name and address:

James W. Brew
Brickfield, Burchette, Ritts & Stone, P.C.
1025 Thomas Jefferson Street, NW
Washington, DC 20007

SWORN TO AND SUBSCRIBED before me this 21st day of January, 2009.

District of Columbia) ss.


Notary Public
My Commission expires:

PAMELA D. INGRAM
Notary Public, District of Columbia
My Commission Expires June 30, 2009