

RECEIVED-FPSC

11 JUN 20 AM 10:56

COMMISSION  
CLERK

100345-EQ

FPSC, CLK - CORRESPONDENCE  
 Administrative  Parties  Consumer  
DOCUMENT NO. 05552-10  
DISTRIBUTION:

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input type="checkbox"/> Agent  <input checked="" type="checkbox"/> Addressee  <i>Dana Clark</i></p> <p>B. Received by (Printed Name) <input type="checkbox"/> Date of Delivery  <i>Dana Clark 6/16/11</i></p> <p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes  <input type="checkbox"/> No          If YES, enter delivery address below:</p>
<p>1. Article Addressed to: <i>100345-EQ   05508-10</i>  <i>100346-EQ   05514-10</i>  <i>100347-EQ   05520-10</i></p>	
<p>JOHN T BURNETT ESQUIRE          PROGRESS ENERGY SERVICE COM          299 1<sup>ST</sup> AVE N          SAINT PETERSBURG FL 33701-3308</p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number          (Transfer from service label)</p>	<p>7009 3410 0002 4112 5269</p>
<p>PS Form 3811, February 2004</p>	<p>Domestic Return Receipt 102595-02-M-1540</p>

COMMISSIONERS:  
ART GRAHAM, CHAIRMAN  
LISA POLAK EDGAR  
RONALD A. BRISÉ  
EDUARDO E. BALBIS  
JULIE I. BROWN

STATE OF FLORIDA



OFFICE OF COMMISSION CLERK  
ANN COLE  
COMMISSION CLERK  
(850) 413-6770

Public Service Commission

June 14, 2011

FPSC, CLK - CORRESPONDENCE  
✓ Administrative Parties Consumer  
DOCUMENT NO. 05552-10  
DISTRIBUTION:

John T. Burnett, Esquire  
Progress Energy Service Company, LLC  
299 1<sup>st</sup> Avenue North  
St. Petersburg, Florida 33701-3308

Certified Mail  
Certified No. 7009 3410 0002 4112 5269

**Re: Return of Confidential Documents to the Source, Docket Nos. 100345-EQ,  
100346-EQ, and 100347-EQ**

Dear Mr. Burnett:

Commission staff has advised that confidential Document Nos. 05508-10, 05514-10, and 05520-10 be returned to the source. The documents are enclosed.

Please do not hesitate to contact me if you have any questions concerning return of this material.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann Cole".

Ann Cole  
Commission Clerk

AC: mhm  
Enclosure

cc: Victor Ma, Division of Regulatory Analysis  
Kenneth Franklin, Division of Economic Regulation  
Lee Eng Tan, Office of the General Counsel

**Dorothy Menasco**

100345-EQ

**From:** Betty Leland  
**Sent:** Tuesday, April 05, 2011 4:51 PM  
**To:** Dorothy Menasco  
**Subject:** RE: Hathaway Renewable Energy, Inc. #100345, 100346 and 100347

FPSC, CLK - CORRESPONDENCE		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. 05552-10		
DISTRIBUTION: _____		

Yes, Thanks.

---

**From:** Dorothy Menasco  
**Sent:** Tuesday, April 05, 2011 4:48 PM  
**To:** Betty Leland  
**Cc:** Diamond Williams  
**Subject:** RE: Hathaway Renewable Energy, Inc. #100345, 100346 and 100347

For clarification, you would like this to receive a document number, correct?

---

**From:** Betty Leland  
**Sent:** Tuesday, April 05, 2011 4:46 PM  
**To:** Dorothy Menasco  
**Subject:** Hathaway Renewable Energy, Inc. #100345, 100346 and 100347

Please add the letter that we sent over on April 1, 2011 to the Docket File.

100345-EQ

RECEIVED FPSC

11 APR -4 PM 1:47

FPSC, CLK - CORRESPONDENCE COMMISSION

Administrative Parties Consumer CLERK

DOCUMENT NO. 05552-10

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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <input checked="" type="checkbox"/> <i>Dana Clark</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:  <div style="border: 1px solid black; padding: 5px;"> <p><b>John T. Burnett</b>  <b>Associate General Counsel</b>  <b>Progress Energy Service Co. LLC</b>  <b>299 - First Avenue North</b>  <b>St. Petersburg, FL 33701</b></p> </div> <p><i>100345-EQ: 100346-EQ</i>  <i>100347-EQ 09205-10</i></p>	B. Received by ( <i>Printed Name</i> ) <i>Dana Clark</i>	C. Date of Delivery <i>3/30/11</i>
2. Article Number (Transfer from service label)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
	4. Restricted Delivery? ( <i>Extra Fee</i> ) <input type="checkbox"/> Yes	
7009 3410 0002 4112 5115		
PS Form 3811, February 2004	Domestic Return Receipt	102595-02-M-1540

COMMISSIONERS:  
ART GRAHAM, CHAIRMAN  
LISA POLAK EDGAR  
RONALD A. BRISÉ  
EDUARDO E. BALBIS  
JULIE I. BROWN

STATE OF FLORIDA



## Public Service Commission

March 28, 2011

100345-EQ

John T. Burnett  
Associate General Counsel  
Progress Energy Service Company, LLC  
299 – First Avenue North  
St. Petersburg, FL 33701

Certified Mail  
Certified No. 7009 3410 0002 4112 5115

**Re: Return of Confidential Document to the Source, Docket No. 100345-EQ, 100346-EQ  
and 100347-EQ**

Dear Mr. Burnett:

Commission staff has advised that confidential Document No. 09205-10 be returned to the source. The document is enclosed.

Please do not hesitate to contact me if you have any questions concerning return of this material.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann Cole".

Ann Cole  
Commission Clerk

AC: cec  
Enclosure

cc: Victor Ma, Division of Regulatory Analysis  
Lee Eng Tan, Office of the General Counsel

100345-80

FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
Hathaway Renewable Energy, Inc.		hathawaykw@msn.com	No
Progress Energy Florida, Inc.	EI801	paul.lewisjr@pgnmail.com	No

FAXED - 1  
MAILED - 0  
EMAILED - 2

FPSC, CLK - CORRESPONDENCE  
 Administrative  Parties  Consumer  
DOCUMENT NO. 00552-10  
DISTRIBUTION: \_\_\_\_\_

REQUEST FOR CHANGE TO COMMISSION CONFERENCE  
HAND DELIVER

RECEIVED-FPSC

Date of Request: 12/7/2010

Date of Commission Conference: 12/14/2010

Item No. 567

10 DEC -8 AM 10:42

Docket No.: 100345-347

Brief Title: Hathaway/Progress neg. purchase power agreements

Requested by:  Staff  Other

Hathaway Renewable Energy, Inc.  
(Name)

COMMISSION  
CLERK

Please attach a copy of the written documentation filed (IF OTHER)


STAFF's Recommendation to Executive Suite (IF OTHER)  Approve Request  Deny Request


**ACTION REQUESTED [see APM 2.11]**

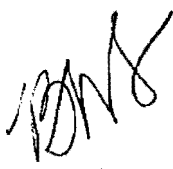
- Defer Item to Conference Scheduled for: \_\_\_\_\_ Date: \_\_\_\_\_
- Change Order of Item or Take Up at Time Certain
- Withdraw Item (not expected to return to Agenda)
- Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing) A copy of the front page of the recommendation must be provided to the Commission Clerk by 12 noon on the regular filing date for use as a place-holder during agenda preparation.
- Add Item to Published Agenda [see Section 120.525(2), F.S.] – Issue an ADDENDUM and give Legal NOTICE
- Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] – Issue an ADDENDUM and Give Fair NOTICE


Concise explanation, justification or comments (attach additional sheet if necessary):

Hathway Renewable Energy, Inc. requests a deferral of Docket Nos. 100345-EG, 100346-EG, 100347-EG to continue contract negotiations with Progress Energy Florida, LLC. (See attached letter)

Signature (Technical Staff): 

Signature (Legal Staff): 

Initials (Division/Office Director or Designee): 

Initials (General Counsel or Designee): 

**EXECUTIVE DIRECTOR:**

Recommendation to the Chairman's Office

Approve Request  Deny Request

Initials: 

Date: 12-7-10

Comments:

**CHAIRMAN'S OFFICE:**

Approve Request  Deny Request

Initials: 

Date: 12/7/10

The Executive Suite will forward the original approved form to the Office of Commission Clerk and distribute copies to the OPR division/office director, the Executive Director, the Deputy Executive Director, the General Counsel, the Deputy General Counsel, the Office of Public Information Director, the Commissioners' Assistants, and the attorney assigned to the docket.

CLK AGENDA  
STAFF COPIED

DOCUMENT NUMBER DATE  
09805 DEC-8 2010



**Hathaway Renewable Energy, Inc.**

P.O. Box 356  
45 Franks Road  
Leoma, TN 38468

Tuesday, December 7, 2010

Ms. Martha Brown  
Public Service Commission  
Capital Circle Office Center  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Ms. Brown,

Please defer any action on Dockets 100345, 100346 and 100347 until further notice.

As discussed over telephone with Ms. Salak this morning, I need to revise the pro forma financial projections for the three 16-20MW woody biomass power only projects under development to insure that the 2010 baseline data (using a 2018 cost avoidance date vice a 2014 cost avoidance date) will provide enough return on investment to proceed. Should the projects "pencil out," I will request new contracts from Progress Energy Florida (PEF) and reenter the Commission's approval process.

Thank you for your kind attention to this matter.

Respectfully,

  
Kevin W. Hathaway  
President

cc: Mr. David Gammon, Progress Energy Florida



## Commission Clerk

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**Subject:** Order or Notice issued by the Public Service Commission (Email ID = 910313)

**Attachments:** 09805-10.pdf

The attached order or notice has been issued by the Public Service Commission.

If you have any problems opening this attachment, please contact the Office of Commission Clerk by reply email or at 850-413-6770.

When replying, please do not alter the subject line; as it is used to process your reply.

Thank you.

FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 100345

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
Hathaway Renewable Energy, Inc.		hathawaykw@msn.com	No
Progress Energy Florida, Inc.	E1801	paul.lewisjr@pgnmail.com	No

fax 1  
mail 0  
email 2

FPSC, CLK - CORRESPONDENCE  
 Administrative  Parties  Consumer  
DOCUMENT NO. 05552-10  
DISTRIBUTION: \_\_\_\_\_

State of Florida



## Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

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**TO:** Parties and Interested Persons  
**FROM:** Ann Cole, Commission Clerk, Office of Commission Clerk  
**RE:** Notice of Filing of Staff Recommendation

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Notice is being given that a staff recommendation has been filed with the Office of Commission Clerk for the upcoming Commission Conference Agenda. See attached page one for filing date, docket number, and document number information.

Complete staff recommendations for items on the agenda are available from the Commission's Web site <http://www.floridapsc.com> by selecting the **Agendas & Hearings** tab and then selecting **Commission Conference Agendas**. Vote sheets, transcripts, and minutes are also viewable once they become available. Records of Commission actions can also be viewed by selecting **Dockets & Filings, Dockets** and the docket number or document number.

I hope you find this information helpful. If you have any questions concerning this information, please feel free to contact the Office of Commission Clerk at (850) 413-6770.

State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

RECEIVED-FPSC

10 DEC -2 AM 11:10

COMMISSION  
CLERK

**-M-E-M-O-R-A-N-D-U-M-**

**DATE:** December 2, 2010

**TO:** Office of Commission Clerk (Cole)

**FROM:** Division of Regulatory Analysis (Ma, Graves) *REH RLT TJS*  
Division of Economic Regulation (Franklin) *WAF*  
Office of the General Counsel (Tan, Brown) *MCB TA* *CA*

**RE:** Docket No. 100345-EQ – Petition for approval of negotiated purchase power contract with Hathaway Renewable Energy, Inc. by Progress Energy Florida, Inc.

**AGENDA:** 12/14/10 – Regular Agenda – Proposed Agency Action – Interested Persons May Participate

**COMMISSIONERS ASSIGNED:** All Commissioners

**PREHEARING OFFICER:** Graham

**CRITICAL DATES:** None

**SPECIAL INSTRUCTIONS:** Take up dockets 100345-EQ, 100346-EQ, 100347-EQ together

**FILE NAME AND LOCATION:** S:\PSC\RAD\WP\100345.RCM.DOC

### Case Background

On July 6, 2010, Progress Energy Florida, Inc., (PEF) filed three Petitions<sup>1</sup> requesting approval of three separate negotiated contracts for the purchase of firm capacity and energy between Hathaway Renewable Energy, LLC (Hathaway) and PEF, dated June 22, 2010. The

<sup>1</sup> See Docket No. 100345-EQ - In re: Petition for approval of a negotiated purchase power contract with Hathaway Renewable Energy, Inc. by Progress Energy Florida, Inc., Docket No. 100346-EQ - In re: Petition for approval of a second negotiated purchase power contract with Hathaway Renewable Energy, Inc. by Progress Energy Florida, Inc., and Docket No. 100347-EQ - In re: Petition for approval of a third negotiated purchase power contract with Hathaway Renewable Energy, Inc. by Progress Energy Florida, Inc.

DOCUMENT NUMBER DATE

09709 DEC-2 0

FPSC-COMMISSION CLERK

## Commission Clerk

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**Subject:** Order or Notice issued by the Public Service Commission (Email ID = 506412)

**Attachments:** Recommendation 09709.pdf

*The attached order or notice has been issued by the Public Service Commission.*

*If you have any problems opening this attachment, please contact the Office of Commission Clerk by reply email or at 850-413-6770.*

*When replying, please do not alter the subject line: as it is used to process your reply.*

*Thank you.*

Matilda Sanders

PSC-10-0582-CFO-EQ

100345-E.G

From: Gloria Ross  
 Sent: Wednesday, September 22, 2010 9:25 AM  
 To: CLK - Orders / Notices  
 Cc: Lee Eng Tan; Martha Brown; Adam Teitzman  
 Subject: Order / Notice Submitted

Date and Time: 9/22/2010 9:23:00 AM  
 Docket Number: 100345-EQ  
 Filename / Path: I:\2010\100345\100345 Procedural Order-Conf. Classif.08-19-10.tlt.doc  
 Order Type: Signed / Hand Deliver

*4 attach' online*

**ORDER GRANTING PROGRESS ENERGY FLORIDA, INC.'S REQUEST FOR  
 CONFIDENTIAL CLASSIFICATION OF COMPETITIVELY NEGOTIATED  
 CONTRACTUAL DATA (DOCUMENT NO. 05508-10)**

*faxed 1  
 mailed 0  
 emailed 2*

*Gloria Ross*  
 Commission Deputy Clerk II  
 Office of the General Counsel  
 Florida Public Service Commission  
 850-413-6214

RECEIVED-FPSC  
 10 SEP 22 AM 10:26  
 COMMISSION  
 CLERK

FPSC, CLK - CORRESPONDENCE  
 Administrative  Parties  Consumer  
 DOCUMENT NO. 0552-10  
 DISTRIBUTION: \_\_\_\_\_

**FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 100345**

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
Hathaway Renewable Energy, Inc.		hathawaykw@msn.com	No
Progress Energy Florida, Inc.	EI801	paul.lewisjr@pgnmail.com	No

## Commission Clerk

---

**From:** Commission Clerk  
**Sent:** Wednesday, September 22, 2010 2:50 PM  
**Subject:** Order or Notice issued by the Public Service Commission (Email ID = 111606)  
**Attachments:** 07935-10.pdf

The attached order or notice has been issued by the Public Service Commission.

If you have any problems opening this attachment, please contact the Office of Commission Clerk by reply email or at 850-413-6770.

When replying, please do not alter the subject line; as it is used to process your reply.

Thank you.



1  
100345-EQ

**Matilda Sanders** PSC-10-0581-CFD-EQ

From: Gloria Ross  
Sent: Wednesday, September 22, 2010 9:22 AM  
To: CLK - Orders / Notices  
Cc: Lee Eng Tan; Martha Brown; Adam Teitzman  
Subject: Order / Notice Submitted

*4 attach' online*

Date and Time: 9/22/2010 9:16:00 AM  
Docket Number: 100345-EQ; 100346-EQ; 100347-EQ  
Filename / Path: I:\2010\100345\100345-346-347 Procedural Ord-Conf.Classif.09-17-10.doc  
Order Type: Signed / Hand Deliver

**ORDER GRANTING PROGRESS ENERGY FLORIDA, INC.'S REQUEST FOR  
CONFIDENTIAL CLASSIFICATION OF COMPETITIVELY NEGOTIATED  
CONTRACTUAL DATA (DOCUMENT NO. 06833-10)**

*faxed 1  
mailed 0  
emailed 2*

RECEIVED-FPSC  
10 SEP 22 AM 10:26  
COMMISSION  
CLERK

*Gloria Ross*  
Commission Deputy Clerk II  
Office of the General Counsel  
Florida Public Service Commission  
850-413-6214

FPSC, CLK - CORRESPONDENCE  
 Administrative  Parties  Consumer  
DOCUMENT NO. 05552-10  
DISTRIBUTION:

**FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES**

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
Hathaway Renewable Energy, Inc.		hathawaykw@msn.com	No
Progress Energy Florida, Inc.	E1801	paul.lewisjr@pgnmail.com	No

## Commission Clerk

---

**From:** Commission Clerk  
**Sent:** Wednesday, September 22, 2010 2:48 PM  
**Subject:** Order or Notice issued by the Public Service Commission (Email ID = 028660)  
**Attachments:** 07934-10.pdf

The attached order or notice has been issued by the Public Service Commission.

If you have any problems opening this attachment, please contact the Office of Commission Clerk by reply email or at 850-413-6770.

When replying, please do not alter the subject line; as it is used to process your reply.

Thank you.

9/22/2010

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STATE OF FLORIDA

COMMISSIONERS:  
NANCY ARGENZIANO, CHAIRMAN  
LISA POLAK EDGAR  
NATHAN A. SKOP



OFFICE OF COMMISSION  
CLERK  
ANN COLE  
COMMISSION CLERK  
(850) 413-6770

# Public Service Commission

## ADMINISTRATIVE

July 07, 2010

Progress Energy  
John Burnett  
PO Box 14042  
St. Petersburg, FL 33733

**Re: Docket No. 100345-EQ**

Dear Mr. Burnett:

This will acknowledge receipt of the petition for approval of negotiated purchase power contract with Hathaway Renewable Energy, Inc. by Progress Energy Florida, Inc, which was filed in this office on July 06, 2010, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Office of Commission Clerk

DOCUMENT NUMBER-DATE

05552 JUL-7 2010

FPSC-COMMISSION CLERK

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PSC Website: <http://www.floridapsc.com>

Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)