

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Petition for rate increase by Tampa
Electric Company**

§
§
§
§

Docket No.: 20210034-EI

Filed: June 3, 2021

**REQUEST OF THE WEST CENTRAL FLORIDA HOSPITAL UTILITY ALLIANCE
TO BE REPRESENTED BY MARK F. SUNDBACK,
WILLIAM M. RAPPOLT AND ANDREW P. MINA
AS QUALIFIED REPRESENTATIVES**

Pursuant to Rules 28-106.105, 28-106.106 and 28-106.107 of the Florida Administrative Code, the West Central Florida Hospital Utility Alliance (“HUA”) hereby files this request to grant the following attorneys Qualified Representative status to appear in the captioned proceeding: Mark F. Sundback, William M. Rappolt and Andrew P. Mina (collectively, the “Attorneys”). HUA is fully aware of the services which the Attorneys can provide and is aware that HUA can be represented by counsel of the Florida Bar as defined in Rule 28-106.106 and has chosen to be represented by the Attorneys who are members of the bars discussed herein. The contact information for the Attorneys is as follows:

Mark F. Sundback
William M. Rappolt
Andrew P. Mina
Sheppard Mullin Richter & Hampton, LLC
2990 Pennsylvania Avenue, N.W., Suite 100
Washington, DC 20037
Phone: (202) 747-1900
Fax: (202) 747-1901
msundback@sheppardmullin.com
wrappolt@sheppardmullin.com
amina@sheppardmullin.com

In accordance with Rule 28-106.106, HUA provides the following information with respect to the Attorneys:

(1) Messrs. Sundback, Rappolt and Mina are members in good standing of the Bar of the District of Columbia and admitted to practice before the District of Columbia Court of Appeals, the highest court in the District's judicial system. In addition: Mr. Sundback is admitted to practice before the U.S. Courts of Appeals for the First, Fifth, Ninth, Tenth and D.C. Circuits; Mr. Rappolt is a member in good standing of the Bar of Maryland and admitted to practice before the Maryland Court of Appeals, the highest court in Maryland's judicial system, as well as the U.S. District Court for the District of Maryland, and the U.S. Courts of Appeals for the Fourth, Ninth and D.C. Circuits; Mr. Mina is a member in good standing of the Bar of Massachusetts and admitted to practice before the Massachusetts Supreme Judicial Court, the highest court in Massachusetts' judicial system, as well as the U.S. Court of Appeals for the D.C. Circuit. Each is experienced in the matters involved in public utility regulation and has practiced before agencies engaged in such regulation as reflected in the attached certifications.

(2) Mr. Sundback and Mr. Rappolt have had the honor of practicing before the Florida Public Service Commission ("Commission") as Qualified Representatives in Docket Nos. 160021-EI, 130040-EI and 120015-EI. Mr. Sundback also practiced before the Commission as a Qualified

Representative in Docket No. 080677-EI. In addition, Mr. Sundback sought and received *pro hac vice* admission in the following matters in the State of Florida:

- (a) Before the Commission in Docket No. 001148-EI pursuant to motion *pro hac vice* filed on May 2, 2001;
- (b) Before the Florida Supreme Court in *South Florida Hospital and Health Care Assoc. v. Jabar* (Docket No. SCO2-1023) pursuant to motion *pro hac vice* filed on May 13, 2003;
- (c) Before the Commission in Docket No. 050045-EI pursuant to a motion *pro hac vice* filed on May 6, 2005.

(3) Neither Mr. Sundback, Mr. Rappolt nor Mr. Mina have been disciplined in any manner or have any pending disciplinary proceeding.

(4) See the attached sworn affidavits of Mr. Sundback, Mr. Rappolt and Mr. Mina stating that each is a member in good standing of the Bar of the District of Columbia. Additionally, see the attached sworn affidavit of Mr. Rappolt stating that he is a member in good standing of the Bar of Maryland, and the attached sworn affidavit of Mr. Mina stating that he is a member in good standing of the Bar of Massachusetts. The respective sworn affidavits also state that each: is experienced in the matters involved in public utility regulation; has practiced before agencies engaged in such regulation; has knowledge of the Florida Statutes relative to the Commission's jurisdiction; has knowledge of the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding; has knowledge of the Florida Administrative Code and Florida Statutes relative to the rules of evidence, including the concept of hearsay in an administrative proceeding; has acquired and will acquire further knowledge of the factual and legal issues involved in this

proceeding; and has knowledge of and complied with the Standards of Conduct for Qualified Representatives, Rule 28-106.107 of the Florida Administrative Code.

WHEREFORE, HUA requests that the Commission grant this request.

Respectfully submitted,

A handwritten signature in blue ink that reads "Teresa Kelly". The signature is written in a cursive style with a long, sweeping tail on the letter "y".

Teresa Kelly
Executive Director
Health Council of West Central Florida, Inc.
550 North Reo Street
Suite 300
Tampa, FL 33609

May 28, 2021

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Petition for rate increase by Tampa
Electric Company**

§
§
§
§

Docket No.: 20210034-EI

AFFIDAVIT OF MARK F. SUNDBACK

I, Mark F. Sundback, hereby certify, pursuant to Rule 28-106.106 of the Florida Administrative Code, that I am an attorney in good standing of the Bar of the District of Columbia; that I am experienced in the matters involved in public utility regulation; that I have practiced extensively before agencies engaged in such regulation; that I have knowledge of the Florida Statutes relative to the Commission's jurisdiction; that I have knowledge of the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding; that I have knowledge of the Florida Administrative Code and Florida Statutes relative to the rules of evidence, including the concept of hearsay in an administrative proceeding; that I have acquired and will further acquire knowledge of the factual and legal issues involved in this proceeding; and that I have knowledge of and have complied with the Standards of Conduct for Qualified Representatives, Rule 28-106.107 of the Florida Administrative Code.

Mark F. Sundback

Mark F. Sundback
District of Columbia Bar No. 358922

Affirmed and subscribed before me this 10th day of May, 2021

Gloria A. Smith
Notary Public

My Commission Expires: May 31, 2021

GLORIA A. SMITH
Notary Public, District of Columbia
My Commission Expires May 31, 2021



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Petition for rate increase by Tampa
Electric Company**

§
§
§
§

Docket No.: 21210034-EI

AFFIDAVIT OF WILLIAM M. RAPPOLT

I, William M. Rappolt, hereby certify, pursuant to Rule 28-106.106 of the Florida Administrative Code, that I am an attorney in good standing of the Bars of Maryland and the District of Columbia; that I am experienced in the matters involved in public utility regulation; that I have practiced before agencies engaged in such regulation; that I have knowledge of the Florida Statutes relative to the Commission's jurisdiction; that I have knowledge of the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding; that I have knowledge of the Florida Administrative Code and Florida Statutes relative to the rules of evidence, including the concept of hearsay in an administrative proceeding; that I have acquired and will further acquire knowledge of the factual and legal issues involved in this proceeding; and that I have knowledge of and have complied with the Standards of Conduct for Qualified Representatives, Rule 28-106.107 of the Florida Administrative Code.

William M. Rappolt

William M. Rappolt
District of Columbia Bar No. 1046804
Maryland does not issue bar numbers.

Affirmed and subscribed before me this 10th day of May, 2021.

Gloria A. Smith

Notary Public

My Commission Expires: May 31, 2021

GLORIA A. SMITH
Notary Public, District of Columbia
My Commission Expires May 31, 2021



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Petition for rate increase by Tampa
Electric Company** §
§
§
§

Docket No.: 20210034-EI

AFFIDAVIT OF ANDREW P. MINA

I, Andrew P. Mina, hereby certify, pursuant to Rule 28-106.106 of the Florida Administrative Code, that I am an attorney in good standing of the Bars of the District of Columbia and Massachusetts; that I am experienced in the matters involved in public utility regulation; that I have practiced extensively before agencies engaged in such regulation; that I have knowledge of the Florida Statutes relative to the Commission's jurisdiction; that I have knowledge of the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding; that I have knowledge of the Florida Administrative Code and Florida Statutes relative to the rules of evidence, including the concept of hearsay in an administrative proceeding; that I have acquired and will further acquire knowledge of the factual and legal issues involved in this proceeding; and that I have knowledge of and have complied with the Standards of Conduct for Qualified Representatives, Rule 28-106.107 of the Florida Administrative Code.



Andrew P. Mina
District of Columbia Bar No. 1046804
Massachusetts Bar No. 684714

Affirmed and subscribed before me this 10th day of May, 2021



Notary Public

My Commission Expires: MAY 31, 2021



GLORIA A. SMITH
Notary Public, District of Columbia
My Commission Expires May 31, 2021

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the West Central Florida Hospital Utility Alliance Petition to Intervene has been served by electronic mail, U.S. mail, or Federal Express, this 3rd day of June, 2021, to the following:

Attorneys for Tampa Electric

James D. Beasley, Esq.
J. Jeffrey Wahlen, Esq.
Malcolm Means
Ausley & McMullen
P.O. Box 391
Tallahassee, FL 32302
jbeasley@ausley.com
jwahlen@ausley.com
mmeans@ausley.com

Tampa Electric Company

Ms. Paula K. Brown
Regulatory Affairs
P. O. Box 111
Tampa FL 33601-0111
regdept@tecoenergy.com

Walmart Inc.

Barry A. Naum
SPILMAN THOMAS & BATTLE, PLLC
1100 Bent Creek Boulevard, Suite 101
Mechanicsburg, PA 17050
bnaum@spilmanlaw.com

Federal Executive Agencies

Holly L. Buchanan
Scott L. Kirk
Thomas A. Jernigan
Ebony M. Payton
Arnold Braxton
DAF/JAOE-ULFSC
139 Barnes Drive, Suite 1
Tyndall Air Force Base, Florida 32403
holly.buchanan.1@us.af.mil
scott.kirk.2@us.af.mil
thomas.jernigan.3@us.af.mil
ebony.payton.ctr@us.af.mil
arnold.braxton@us.af.mil

Walmart Inc.

Stephanie U. Eaton
SPILMAN THOMAS & BATTLE, PLLC
110 Oakwood Drive, Suite 500
Winston-Salem, NC 27103
seaton@spilmanlaw.com

Office of Public Counsel

Richard Gentry
Charles Rehwinkel
Anastacia Pirrello
Stephanie Morse
111 West Madison St., Room 812
Tallahassee, FL 32399
gentry.richard@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us
pirello.anastacia@leg.state.fl.us
morse.stephanie@leg.state.fl.us

Florida Industrial Power Users Group

Jon C. Moyle, Jr., Esquire
Karen A. Putnal, Esquire
c/o Moyle Law Firm
118 North Gadsden Street
Tallahassee FL 32301
jmoyle@moylelaw.com
kputnal@moylelaw.com
mqualls@moylelaw.com

Florida Retail Association

Robert Scheffel Wright
John T. La Via, III
Gardner, Bist, Bowden, Dee, La Via, Wright &
Perry, P.A.
1300 Thomaswood Drive
Tallahassee, Florida 32308
schef@gbwlegal.com
jlavia@gbwlegal.com

/s/ Andrew P. Mina
Andrew P. Mina