# BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Applications for qualified	)	Docket No. 20210008-OT
representative status.	)	Filed: June 16, 2021
	)	

### REQUEST FOR NAMING OF QUALIFIED REPRESENTATIVE

Pursuant to Rules 28-106.106 and 28-106.107, Florida Administrative Code, the Smart Thermostat Coalition ("STC"), an *ad hoc* coalition of leading smart thermostat manufacturers, requests that Madeline Fleisher, an attorney with the law firm Dickinson Wright PLLC, be named a qualified representative for STC in all docketed and non-docketed matters before the Florida Public Service Commission ("Commission").

1. Ms. Fleisher's business address and contact information are as follows:

Madeline Fleisher 150 E. Gay St., Suite 2400 Columbus, OH 43215 mfleisher@dickinsonwright.com Office: (614) 591-5474

Fax: (844) 670-6009

- 2. Consistent with Rule 28-106.106(2)(a), F.A.C., STC 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.
- 3. STC submits that Ms. Fleisher possesses the necessary qualifications to responsibly represent STC's interests in matters before the Commission. In this regard, Ms. Fleisher's qualifications are set forth in the attached affidavit.
- 4. As reflected in Ms. Fleisher's affidavit, she: (i) is an attorney admitted to practice in the State of Ohio, (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 28-106.106, F.A.C., Ms. Fleisher has acquired or will acquire actual knowledge of the factual and legal issues involved insofar as her representation of STC is concerned in matters before the Commission.

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

June 16, 2021

/s/ Tamara Dzubay

Tamara Dzubay Senior Manager, Regulatory Affairs & Emerging Markets ecobee

25 Dockside Drive, Suite 700 Toronto, ON M5A 0B5 tamara.d@ecobee.com

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Request for Naming of Qualified Representative has been furnished via electronic filing to the following on June 16,

Adam Teitzman Commission Clerk Florida Public Service Commission Division of Legal Services 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

2021:

/s/ Tamara Dzubay Tamara Dzubay

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In re: Applications for qualified representative status.	)	Docket No. 20210008-OT Filed: June 16, 2021
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#### AFFIDAVIT OF MADELINE FLEISHER

Madeline Fleisher, being first duly sworn, states that:

- 1. I am an attorney with the law firm Dickinson Wright PLLC.
- I represent the Smart Thermostat Coalition ("STC") in connection with certain 2 regulatory matters relating to energy services.
- I have prepared this affidavit in connection with STC's request that I be named a qualified representative of STC in all docketed and non-docketed matters before the Florida Public Service Commission ("Commission").
- I possess the necessary qualifications to responsibly represent STC in all docketed and non-docketed matters before the Commission.
- I am a member in good standing of the bar of the State of Ohio and have appeared before utility regulatory agencies and authorities such as the Public Utilities Commission of Ohio and the California Public Utilities Commission.
- 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; and 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 involved insofar as my representation of STC is concerned in proceedings before this Commission. I 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.

Sworn to before me and subscribed in my presence on June 16, 2021, in And, Franklin County, Ohio.

Hilli And, Franklin County, Ohio.

TAMMY R SAHR Notary Public State of Ohio My Comm. Expires March 25, 2026