



Shareholder

Phone: (850) 425-6654

Fax: (850) 425-6694

E-Mail: sclark@radeylaw.com

AV Rated



Practice Areas:

- Energy, Telecommunications, Water and Wastewater and Public Utility Law

Shareholder, Radey Thomas Yon & Clark, P.A.

301 South Bronough Street, Suite 200, Tallahassee, Florida

April 2003 to present

Primary area of practice is energy and telecommunications law and utility regulation, including electric, telecommunications and water and wastewater industries. Practice includes advice, counsel and representation before state and federal legislative, regulatory and executive bodies, as well as various state and federal courts.

Shareholder, Katz, Kutter, Alderman, Bryant and Yon, P.A.

106 East College Avenue, Suite 1200, Tallahassee, Florida

August 2000 to April 2003

Primary area of practice is energy and telecommunications law and utility regulation, including electric, telecommunications and water and wastewater industries.

Commissioner, Florida Public Service Commission

2540 Shumard Oak Boulevard, Tallahassee, Florida

Commissioner August 1991 to August 2000; Chairman 1995-1996

The Florida Public Service Commission is charged with the responsibility of economic regulation of Florida's investor-owned utility companies. Public Service Commissioners are required to be knowledgeable in public affairs, laws, economics, accounting, engineering, finance, natural resource conservation, energy and other areas relating to the duties and responsibilities

RADEY THOMAS YON & CLARK, P.A.

301 South Bronough Street, Suite 200

Tallahassee, FL 32301

www.radeylaw.com

of the Commission. As part of this collegial body, Commissioners must preside over contested matters, rulemaking and declaratory statement proceedings within the Commission's jurisdiction. Commissioners also participate in shaping state and federal regulatory law and policy by issuing written comments and through their participation in National Association of Regulatory Utility Commissioners and other professional organizations. Commissioners are responsible for making executive-level decisions relating to the structure and operation of the Commission.

General Counsel, Florida Public Service Commission

April 1988 to August 1991

Served as the Commission's chief legal counsel. Supervised the Commission's legal personnel consisting of 27 attorneys and 12 administrative/secretarial positions. Assisted in the coordination of interagency and legislative liaison functions. Represented the Commission in all state and federal courts, including numerous cases before the Florida Supreme Court. Participated in the development of Commission policies relating to cogeneration and conservation in the electric industry, restructuring of the telecommunications industry to accommodate competition, and streamlining regulation of water and wastewater utilities.

**Deputy General Counsel/Director of Division of Appeals,
Florida Public Service Commission**

October 1983 to April 1988

Head of the Division of Appeals, which included five attorneys and three administrative/secretarial positions. The Division's assignments included: legislative, rulemaking and appellate functions; federal/state liaison functions; providing legal advice to Commissioners; and handling in-house legal matters such as negotiating and drafting service and purchasing contracts and providing legal advice on personnel matters. Participated in the development of Commission policies on telephone access charges, customer premise equipment and inside wire, and territorial boundaries for electric utilities.

Associate General Counsel, Florida Public Service Commission

October 1980 to October 1983

Acted as staff counsel and advisor to Commissioners in proceedings before Commission and in state courts and the Division of Administrative Hearings. Participated in several rate cases in electric, telephone and water and sewer industries. Lead counsel in Southern Bell Rate Case, 1982. Participated in development of Commission rules on practice and procedure and appropriate levels of CIAC for water and sewer companies.

RADEY THOMAS YON & CLARK, P.A.

301 South Bronough Street, Suite 200

Tallahassee, FL 32301

www.radeylaw.com

Staff Attorney, Joint Administrative Procedures Committee
120 Holland Building, Tallahassee, Florida 32301
August 1977 to October 1980

Reviewed agency action and rulemaking pursuant to the Administrative Procedure Act and advised agencies, legislators and citizens regarding the requirements and provisions of the Act. Drafted legislation relating to administrative procedures. Assignments included the Departments of Agriculture and Consumer Services, Business Regulation, Highway Safety and Motor Vehicles, and Professional Regulation.

Staff Attorney, Florida Senate Legislative Services
404 Capitol, Tallahassee, Florida 32301
October 1974 to August 1977

Prepared legislation and amendments for State Senators. Rendered advice and provided legal research in support of legislation. Prepared Revisor's Bill for Florida Environmental Reorganization Act of 1975. Assisted in Finance and Tax Committee on tax legislation.

PROFESSIONAL ASSOCIATIONS, MEMBERSHIPS, AND AWARDS:

- Florida Bar, *Member* since 1974
- U.S. District Court Northern, Middle and Southern Districts of Florida
- U.S. Court of Appeals 4th Circuit
- U.S. Supreme Court
- EPRI (formerly the Electric Power Research Institute), 2002-2006 *Board of Directors*
- Florida Trend Magazine's Annual Listing of Florida Legal Elite, 2005, 2006, & 2007
- 2008 selected as Super Lawyer by *Florida Super Lawyers Magazine*
- Netcommunications Advisory Board, 2001-2002
- Southeast Compact Commission for Low-Level Radioactive Waste Management
Alternate Commissioner
- National Association of Regulatory Utility Commissioners (NARUC), 1997-2000
Chair, Committee on Electricity
- National Association of Regulatory Utility Commissioners (NARUC), 1997-2000
Chair, Ad Hoc Committee on Electric Industry Restructuring
- National Association of Regulatory Utility Commissioners (NARUC), 1992-2000
Member, Committee on Electricity
- National Association of Regulatory Utility Commissioners (NARUC) *Member, Subcommittee on Nuclear Issues-Waste Disposal*

- National Association of Regulatory Utility Commissioners (NARUC) *Member, Subcommittee on Strategic Issues*
- National Association of Regulatory Utility Commissioners (NARUC), 1997-2000 *Member, Executive Committee*
- National Association of Regulatory Utility Commissioners (NARUC), 1995-1997 *Vice Chair, Subcommittee on Nuclear Issues-Waste Disposal*
- National Association of Regulatory Utility Commissioners (NARUC), 1991-1992 *Member, Committee on Energy Conservation*
- National Association of Regulatory Utility Commissioners (NARUC), 1988-1991 *Member, Staff Subcommittee on Law*
- Nuclear Electric Insurance Limited, 1999-2000 *NARUC Representative*
- Consortium for Electric Reliability Technology Solutions, 2000 *Member, Board of Directors*
- Electric Power Research Institute Advisory Council, 1992-2002 *Member*
- North American Electric Reliability Council, 1997-2000 *NARUC Representative*
- National Council on Competition, 1998-2000 *Member, Steering Committee*
- Southeastern Association of Regulatory Utility Commissioners, 1991-2000 *Member*
- Nuclear Waste Strategy Coalition, 1993-2000 *Member*
- Telecommunications Taxation Task Force, 1996-1997 *Member*
- Association of Agency General Counsels, 1989-1991 *Chair*
- The Florida Bar, Administrative Law Section *Member*
- The Florida Bar, Government Lawyers Section *Member*
- The Florida Bar Member, *Public Utilities Law Committee*
- Brogan Museum of Art and Science, *President 2004, Board of Directors 2000-2007*

EDUCATION

Juris Doctor Degree, University of Florida, June 1974
Bachelor of Arts in Political Science, University of Florida, June 1971

TESTIMONIES

- *Town of Belleair v. Florida Power Corporation*, Case No. 0006487CI-20 - testified in arbitration in connection with case; June 11, 2003.
- *Florida Power Corporation d/b/a Progress Energy Florida, Inc.*, Docket No. SC03-1-000, Federal Regulatory Commission - filed written testimony in case; April 2, 2003.
- *City of Winter Park Florida v. Florida Power Corporation*, Case No. 01-CI-01-4558-39 - testified in arbitration in connection with case; December 2002.
- Before The U.S. House of Representatives Senate Energy and Natural Resources Committee; July 15, 1999: *Essential Elements of Federal Legislation*.

RADEY THOMAS YON & CLARK, P.A.

301 South Bronough Street, Suite 200

Tallahassee, FL 32301

www.radeylaw.com

- Before The U.S. House of Representatives Commerce Committee - Energy and Power Sub Committee; March 18, 1999.
- Remarks For Commerce Committee Hearing On Electric Industry Restructuring; October 21, 1997.
- Before The U.S. House of Representatives Committee on Commerce Subcommittee on Energy and Power: Electricity: Reliability and Competition; June 19, 1997.
- Testimony Regarding Electric Industry Restructuring Before The U.S. House of Representatives Committee On Commerce, Field Hearing; April 14, 1997.
- Testimony Regarding Competitive Change in the Electric Power Industry Before The U.S. Senate Committee on Energy And Natural Resources; July 11, 1996.

SPEECHES, PRESENTATIONS AND ARTICLES

- Presentation to the House Committee on Energy on Energy Efficiency; January 9, 2008.
- Presentation on the regulatory perspective on the Evolution of Telecommunications Competition at Florida Telecommunications Industry Association's 100th Annual Convention in Sarasota, Florida; June 25, 2007.
- Panel Moderator at NARUC Western Conference of Utility Commissioners on Energy Efficiency and Conservation in Park City, Utah; June 11, 2007.
- Panel Moderator on issues regarding construction of new nuclear plants at SEARUC convention in Little Rock, Arkansas; June 5, 2007.
- Presentation at the Florida Chapter of the Federal Communications Bar Association/PURC/Florida Bar Public Utilities Law Committee's 2006 Florida Telecom and Energy Legislative Update - Siting; November 16, 2006.
- Presentation at the Southeast Utility Commissioners Dialogue with the Investment Community; October 3, 2006.
- Presentation to the 2006 Eastern NARUC Utility Rate School; September 11, 2006.
- Presentation at the Edison Electric Institute's 2006 Spring Legal Conference-Ringfencing Activities in the States; Naples, Florida, April 11, 2006.
- Presentation before the Florida Senate Judiciary Committee on Street Lighting; February 9, 2005.
- Presentation before the Florida Senate Committee on Communications & Public Utilities on securitization-hurricane damage cost recovery; January 25, 2005.
- Presentation before the Florida House of Representatives Utilities & Telecommunications Committee on securitization-hurricane damage cost recovery; January 11, 2005.
- Presentation on the Florida Energy Law: Electric Industry Regulatory Statutes and Policy; Florida Public Service Commission/Federal Energy Regulatory Commission Technical Conference; September 15, 2003.

- Article: "Let Deregulation Proceed;" Utility Business; July 18, 2001.
- "RTO's: The October Filings" Keynote address EEI Conference in Washington, D.C.; November 2 and 3, 2000.
- "Technological Changes Affecting the Need for Regulation" - Moderated Panel Discussion at World Forum on Energy Regulation; Montreal, Quebec, Canada, May 23, 2000.
- Presentation: "NARUC Positions on Electric Industry Restructuring Legislation" - National Energy Marketers Association's Conference; Washington, D.C., April 17, 2000.
- Presentation: "Overview of Steps Taken Toward a Peninsular Florida Transco to Date" - Federal Energy Regulatory Commission's Workshop on Regional Transmission Organizations; Atlanta, Georgia, April 6, 2000.
- Presentation: "Regulatory Review: Federal and State Update" - 13th Annual Utility Mergers and Acquisitions Symposium, New York, New York, January 31, 2000.
- Presentation: "Is There a Role for Regulation in Economic Development?" - 1999 Regional Economic Symposium; Sandestin, Florida, October 26, 1999.
- Presentation to the Federal Energy Regulatory Commission's Regional ISO Conference; Orlando, Florida, June 8, 1998.
- "New Rules of the Road" - 1998 Strategic Marketing Conference; Orlando, Florida, April 30, 1998.