

20505 J. Blumley
Citizen Comment for the Record
10/4/12

Mr. Mayor, for the benefit of the citizens watching on television, would you please direct the cameras to be kept on the pages I place on the overhead and not on me, the entire time I am speaking?

Susan Bottcher on Sept 25, 2012 wrote the following:

"... there never was a back-out clause in the contract. The idea of one was discussed by the commission (2008, I think) and that's as far as it went."

I wrote to the whole commission asking essentially

1. whether Ms. Bottcher speaks for the commission and
2. specifically for you to ask Mr. Hunzinger to explain why his GRU committee recommended that the city commission reverse itself and approve a final contract with GREC that did not contain a back out clause, inasmuch as the course of negotiations reflected in the documents I provided , clearly indicates that the back-out clause would have cost GRU ratepayers **NOTHING** unless it had been exercised,

I requested a public answer to these question.

Susan Bottcher, replied on October 3, 2012 saying in part, "...Your interest in rehashing who said what, when, why and to whom is largely an academic exercise..."

I now ask...

Mr. Mayor, now that I provided you with multiple draft copies of the PPA containing the backout clause, would you

1. ask each commissioner if he or she currently agrees with Ms. Botcher's previously stated assertion that the city commission's "discussion" of the back out clause in 2008 was "as far as it went?"
2. Inasmuch as the course of negotiations reflected in these documents indicates that the back-out clause would have cost GRU ratepayers NOTHING unless it had been exercised, will you please ask Mr. Hunzinger to explain why his GRU committee recommended that the city commission reverse itself and approve a final contract with GREC that did not contain a back out clause?

Jo Beaty
Oct. 4, 2012

From: Jo Lee Beaty [edcenter@att.net]
Sent: Wednesday, October 03, 2012 12:03 AM
To: citycomm
Subject: Ms. Bottcher's assertion

Dear Mayor Lowe and Commissioners:

Commissioner Bottcher has asserted the following: "... there never was a backout clause in the contract. The idea of one was discussed by the commission (2008, I think) and that's as far as it went."

Ms. Bottcher's statement is false. You will find that the back out clause Ms. Bottcher denies ever having gone beyond commission "discussion" included in draft contracts passed back and forth between GRU's advisory committee and GREC negotiators in the months of September, October, November and December 2008. Please examine the contract iterations containing the clause in question attached to this email.

Contrary to Commissioner Bottcher's false assertion, GRU ratepayers are entitled to know that despite the city commission having unanimously voted to require GRU to ENSURE a back out clause be negotiated into the final GREC contract, a GRU ad hoc negotiating team recommended that the commission reverse itself on the backout clause requirement, and the city commission accepted that recommendation. On April 29, 2009 Mr. Hunzinger adopted the committee's recommendation that the commission reverse itself on its back out clause requirement and subsequently submitted the committee's recommendation in a document whose recommendations the commission crystalized approval of on May 7, 2009.

Mr. Mayor and commissioners, please answer the following questions:

1. Does Ms. Botcher speak for the Gainesville City Commission when she makes the false assertion that the city commission's "discussion" of the back out clause in 2008 was "as far as it went?"
2. Inasmuch as the course of negotiations reflected in these documents clearly indicates that the back-out clause would have cost GRU ratepayers NOTHING unless it had been exercised, will you please ask Mr. Hunzinger to explain why his GRU committee recommended that the city commission reverse itself and approve a final contract with GREC that did not contain a back out clause?

I look forward to having these questions answered in public at the next City commission meeting.

Your very concerned constituent,

Jo Beaty

RE: Ms. Bottcher's assertion

From: "Bottcher, Susan W." <bottchersw@cityofgainesville.org>

To: Jo Lee Beaty <edcenter@att.net>; citycomm <citycomm@gru.com>

Dear Ms. Beaty;

Thank you for your email.

No need to wait until tomorrow's city commission meeting as I am happy to answer your questions right away.

1). Of course I don't speak for the entire commission. And for the record, what I say in this email is also coming just from me. I do not speak on behalf of my colleagues, just as any statements they make represent their opinion(s) only. They have been cc'd herein so are free to reply to you if they wish.

2). For more than two years you have made extensive public records requests (emails, documents, commission meeting videos, etc) for everything having to do with GREC so should have all the information that is available. Your interest in rehashing who said what, when, why and to whom is largely an academic exercise since the contract with GREC was finalized long ago and the plant has been under construction for many, many months.

The city and GRU are moving forward with doing what's needed to ensure that once the GREC plant is online the rate impact to GRU customers is kept as close to the projected 1cent/kWh as possible.

Regards,
Susan Bottcher
Commissioner, District 3
City of Gainesville