

FLOYD R. SELF

Partner

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Floyd R. Self is Board Certified by The Florida Bar as an expert in State and Federal Government and Administrative Practice. His energy, telecommunications, water, and land use practice includes regulatory representation, financing and acquisition due diligence, oversight and compliance, Attorney General investigation defense, procurement and purchasing disputes, rulemaking, anti-trust and anti-competitive conduct, show cause, performance measures and standards, and lobbying services.

Floyd's clients include natural gas local distribution companies, competitive telecommunications carriers, natural gas pipeline companies, cable television providers, commercial mobile radio service providers, real estate developers, electric utilities, water and wastewater utilities, irrigation/reuse water systems, licensees, government contractors, business user groups, equipment and technology providers, county governments and special governmental entities, individual customers, and industry associations.

Floyd is the only Board Certified attorney who regularly practices before the Florida Public Service Commission. In addition to the PSC, he regularly appears before Florida state and federal courts, the Florida Division of Administrative Hearings, and various state and local government agencies.

His public utility regulatory work includes appearances before the Florida, Tennessee, Georgia, and Arkansas state Public Utility Commissions on issues ranging from rate setting, certification of need or public convenience, interconnection negotiation and disputes, tariffs and special contracts, natural gas pipelines, solar power siting, CNG and LNG facilities, and pole attachments. He is the Vice President of the Energy Bar Association (EBA) and past President of the EBA Southern Chapter, and he provides leadership on a variety of energy and public utility law issues.

Education

J.D., *with honors*, Florida State University College of Law
Graduate School Program in Legal Studies, University of Virginia
B.S., *cum laude*, Florida State University

Bar Admissions

Florida
Tennessee
U.S. District Court, Middle District of Florida
U.S. District Court, Northern District of Florida

Practice Teams

Government and Regulatory

Practice Areas

Administrative Hearings & Appeals
Appellate
Corporate
Energy & Utilities
Environmental Issues
Government Disputes
Government Permitting & Licensing
Infrastructure Projects
Land Use & Zoning
State & Local Government Law

Awards & Honors

- *Chambers & Partners USA*, America's Leading Business Lawyers, Energy & Natural Resources (Florida), 2022-2024
- *The Best Lawyers in America®*, 2023-2024
 - 2023 Energy Regulatory Law "Lawyer of the Year"
- *Lawdragon 500*, Leading Energy Lawyer, 2024
- *Martindale-Hubbell*, AV® Preeminent™ rated
- *Florida Trend*, Legal Elite
- *850 Magazine*, Best Lawyer

Representative Matters

- Provided legal analysis and an operational and regulatory process outline for a developer client for how to create a regulated Florida Public Service Commission natural gas utility.
- Developed a legal and operational strategy for a Florida county government in its ongoing disputes with a municipal electric utility on rates and services issues, and litigated those issues before the Florida Public Service Commission and the Florida Supreme Court.
- Negotiated electric utility territorial agreements and represented electric utility in obtaining Florida Public Service Commission approvals.
- Served as a Florida counsel for a diligence review for the acquisition of a Florida triple play telecom company, handling Florida Public Service Commission regulatory requirements and review of Florida real estate holdings, customer and vendor contracts, and pole attachment and collocation agreements.

- Represented a wireless carrier before multiple municipalities, counties, and the Florida Department of Transportation that was seeking to place small cell wireless monopoles in the public rights of way pursuant to federal and state law, including advocacy before the Florida League of Cities and the Florida County Attorneys' Association.
- Successfully represented natural gas local distribution company in a fully litigated rate base/rate of return rate case before the Tennessee Public Utilities Commission, the first litigated rate case to ever be heard under the current part-time Commissioner statute.
- Represented interstate pipeline company in defeating first ever litigated intrastate pipeline certification petition under Florida law.
- Filed petition for an annual rate review under the Tennessee alternative regulatory methods statute, and successfully negotiated a settlement of the case approved by the Tennessee Public Utilities Commission.
- Ultimately settled, after extensively litigating jurisdictional and regulatory issues, a natural gas transportation agreement on behalf of a local natural gas distribution company with its largest customer.
- Defended a telecommunications company over multiple years and ultimately implemented a comprehensive settlement involving proceedings involving the Florida Public Service Commission, the Public Counsel, the Attorney General, a class action case, and Securities and Exchange Commission investigation with no findings of guilt or liability other than customer refunds.
- Litigated before and obtained authorization from the Georgia Public Service Commission for a wireless carrier seeking authority as an eligible telecommunications carrier ("ETC") and authority for high-cost support.
- Prosecuted and ultimately settled an anti-trust case against a local exchange carrier on behalf of a broadband company on multiple counts of breach of interconnection agreement, fraud, and anticompetitive conduct.
- Represented local developer in creative resolution of complex easement and development dispute with adjoining property owners.
- Represented wireless carrier before Florida Public Service Commission in the first mobile interconnection case, resulting in substantially reduced rates and improved terms and conditions for wireless carriers interconnecting with local exchange companies.
- Served as the telephone industry spokesperson and coordinator for negotiating area code relief and number pooling implementation plans that successfully resolved telephone number exhaustion problems facing Florida consumers and telephone companies.
- Obtained declaratory statement for county government finding that local telephone company tariff did not prevent removal of telecommunications structure on county's airport property or require reimbursement by the county for the cost of moving the structure.
- Represented Broward County (the airport) in a matter before the Florida Public Service Commission regarding a dispute over the relocation of BellSouth communications facilities due to runway expansion. Won the case for the County.
- Represented Volusia County in its implementation of jurisdiction over water and wastewater utilities operating within the county.
- Represented the City of Coral Gables before the Florida Supreme Court on the solar energy amendment.

Community Activities / Associations

- Energy Bar Association
 - Vice President 2023
 - Secretary 2022-2023
 - Board Member

- Southern Chapter of the Energy Bar Association,
 - Board Member
 - President 2016-2017
- Member, Law360 Telecommunications Editorial Advisory Board
- Board Certified State and Federal Government and Administrative Practice Lawyer
- Federal Communications Bar Association
- The Florida Bar (Public Utilities Law Committee; Administrative Law Section; Government Lawyer Section; Environmental & Land Use Law Section)
- Challenger Learning Center of Tallahassee Board of Directors, Past Chair
- Leadership Tallahassee Class 20 graduate
- Boy Scouts of America Southern Region Training Staff Leader
- Community Catalyst with the Knight Creative Communities Institute
- Youth Leadership Tallahassee Class 2 Curriculum Chair
- Leadership Tallahassee Class 24 Curriculum Chair
- Suwannee River Area Council Silver Beaver award for outstanding service to youth
- Leadership Tallahassee Board of Governors, Past Chair
- Greater Tallahassee Area Chamber of Commerce Board of Directors
- Boy Scout Scoutmaster, National Jamboree Scoutmaster, and Philmont Crew Advisor

In the News

Lawdragon 500 Recognizes Floyd Self as a 2024 Leading Energy Lawyer
March 1, 2024

Berger Singerman Recognized by Chambers USA for Twentieth Consecutive Year
June 1, 2023

Berger Singerman's Floyd Self Elected Vice President of the Energy Bar Association
May 26, 2023

Communications Daily by Warren Communications News Quotes Floyd Self in, "Fla. Pole Attachments"
March 8, 2023

Forty-Three Berger Singerman Attorneys Recognized in the 2023 Edition of Best Lawyers In America
August 18, 2022

Berger Singerman Recognized by Chambers USA for Nineteenth Consecutive Year
June 1, 2022

American Recycler quotes Floyd Self and Daniel Thompson in, "EPA rollbacks and what they mean"
July 31, 2017

FSU Law Review Features its Former Executive Editor and Berger Singerman Attorney Floyd Self
June 19, 2017

Tampa Bay Times quotes Jeffrey Bartel and Floyd Self on "SolarCity, largest U.S. solar panel installer, enters Florida after Amendment 1 defeat"
December 4, 2016

Berger Singerman's Floyd Self Elected President of the Energy Bar Association's Southern Chapter
May 22, 2016

Publications

POWER Magazine "Electric Utilities Have Critical Role in Broadband Infrastructure Deployment"
May 2, 2022

Energy Bar Association, State Commission and Practice Group Report
November 14, 2019

Energy Law Journal (Volume 38:2), "State Commission Practice Committee"
November 20, 2017

Daily Business Review, "Amendment 1 Defeated, But Florida Still Wants Solar Power"
December 6, 2016

Events & Speaking Engagements

Floyd Self, Moderator, "Natural Disasters and Utility Infrastructure: Regulations, Technologies, And Policies That Promote System Resiliency And Disaster Recovery Without Breaking The Bank," Energy Bar Association Annual Meeting, Washington, D.C.
August 18, 2019

Floyd Self, Organizer and Speaker, "The Future of the Energy Industry from the States View," Energy Bar Association Annual Meeting, Washington, D.C.
May 7, 2018

Floyd Self, Moderator, "Innovation in the Energy Sector, Florida Energy Summit, Ft. Lauderdale, Florida
October 18, 2017

Floyd Self, Host, "2017 EBA Southern Chapter & Southeastern Energy Society Conference," Southern Chapter Energy Bar
February 15, 2017

Floyd Self, Speaker, "The Florida Solar Amendments to the Florida Constitution," Rotary Club of Tallahassee Sunrise
September 26, 2016

Floyd Self, Moderator and Presenter, "Career Possibilities and Current Trends in Energy Law," FSU College of Law
March 30, 2016

Floyd Self, Moderator and Presenter, "Career Possibilities and Current Trends in Energy Law," Emory University School of Law
February 16, 2016

Doing Business in Florida Blog

Utility Service & 2017 Hurricanes: What You Need to Know
June 6, 2017

Utility Service & 2016 Hurricanes: What You Need To Know
June 9, 2016

Prior Affiliations

- Messer, Caparello & Self, P.A.
- Gonzalez Saggio & Harlan LLP