

COMMISSIONERS:  
RONALD A. BRISÉ, CHAIRMAN  
LISA POLAK EDGAR  
ART GRAHAM  
EDUARDO E. BALBIS  
JULIE I. BROWN

STATE OF FLORIDA



GENERAL COUNSEL  
S. CURTIS KISER  
(850) 413-6199

## Public Service Commission

December 21, 2012

### VIA ELECTRONIC FILING

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

**Re: Docket No. ER13-80-000, Tampa Electric Company**  
**Docket No. ER13-86-000, Florida Power Corporation, d/b/a Progress Energy**  
**Florida, Inc.**  
**Docket No. ER13-104-000, Florida Power & Light Company**

Dear Ms. Bose:

Forwarded herewith is a Motion of the Florida Public Service Commission to Intervene Out-of-Time in the above-captioned proceedings.

Benjamin Crawford at 850-413-6598 is the lead staff contact.

Sincerely,

/ s /

Cindy B. Miller  
Senior Attorney

CBM:tf

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

Tampa Electric Company	)	Docket No. ER13-80-000
	)	
Florida Power Corporation, d/b/a	)	Docket No. ER13-86-000
Progress Energy Florida, Inc.	)	
	)	
Florida Power & Light Company	)	Docket No. ER13-104-000
	)	

**FLORIDA PUBLIC SERVICE COMMISSION  
MOTION FOR LEAVE TO INTERVENE OUT-OF-TIME**

Pursuant to Rule 214 of the Federal Energy Regulatory Commission (FERC) Rules of Practice and Procedure, the Florida Public Service Commission (FPSC) hereby files its Motion for Leave to Intervene Out-of-Time.

**COMMUNICATIONS**

Pursuant to Rule 203(b)(3) of the Federal Energy Regulatory Commission (FERC) Rules of Practice and Procedure, the following persons are designated for receipt of communications and service on this proceeding:

Cynthia B. Miller, Esquire  
Senior Attorney, Office of the General Counsel  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
Telephone No.: 850/413-6082  
[cmiller@psc.state.fl.us](mailto:cmiller@psc.state.fl.us)

Benjamin Crawford  
Office of Industry Development and Market Analysis  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
Telephone No.: 850/ 413-6598  
[bcrawford@psc.state.fl.us](mailto:bcrawford@psc.state.fl.us)

## **INTERVENTION**

The FPSC is a state commission with authority, pursuant to Section 366.04(5), Florida Statutes, over the planning, development, and maintenance of a coordinated electric power grid in Florida to assure an adequate and reliable source of energy for operational and emergency purposes. The FPSC has full regulatory authority pursuant to Chapter 366, Florida Statutes, over Florida's five investor-owned electric utilities, including reliability and aspects of rates, operations, and safety. The statutes also provide the FPSC with limited authority over Florida's 35 municipally-owned and 18 rural electric cooperatives. Pursuant to Section 403.537, Florida Statutes, the FPSC is the sole forum in which to determine the need for a transmission line.

The FPSC, pursuant to Chapters 350 and 366, Florida Statutes, is given the authority to regulate electric utilities within the State of Florida and to exercise the police power of the state for the protection of the public welfare. Section 366.015, Florida Statutes, encourages participation by the FPSC in Federal agencies' proceedings that affect those utilities over which the FPSC has primary regulatory jurisdiction.

The matter in these proceedings relates to Florida utilities' compliance filings on FERC Order No. 1000. The FPSC was an active participant in the rulemaking proceedings leading up to the FERC's decision to issue Order No. 1000. Likewise, the FPSC was an active participant in the stakeholder process to comply with Order No. 1000, which included the Florida Regional Reliability Council (FRCC) and Florida utilities' stakeholder process for these filings. Thus, FPSC has a strong interest in these proceedings that cannot be represented by any other party. As illustrated above, good cause exists to accept this motion notice. The FPSC is filing this motion to intervene before any substantive rulings have been made in this case. Intervention at this early state of the proceedings will not prejudice other parties to this case.

WHEREFORE, the FPSC asserts that it has a direct, material, and substantial interest in the proceedings that cannot be adequately represented by any other party. Accordingly, the FPSC respectfully requests that this motion to intervene out-of-time be granted that the FPSC be granted intervention with full rights as a party in each of these dockets.

Respectfully submitted,

/ s /

Cynthia B. Miller, Esquire  
Office of the General Counsel

FLORIDA PUBLIC SERVICE COMMISSION  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
850 / 413-6201  
[cmiller@psc.state.fl.us](mailto:cmiller@psc.state.fl.us)

DATED: December 21, 2012

**UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION**

Tampa Electric Company	)	Docket No. ER13-80-000
	)	
Florida Power Corporation, d/b/a	)	Docket No. ER13-86-000
Progress Energy Florida, Inc.	)	
	)	
Florida Power & Light Company	)	Docket No. ER13-104-000
	)	

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that the foregoing Motion to Intervene Out-of-Time of the Florida Public Service Commission will be served today upon each person listed on the official service maintained by the Secretary of the Commission for the above captioned proceedings.

/ s /

Cynthia B. Miller, Esquire  
Office of the General Counsel

FLORIDA PUBLIC SERVICE COMMISSION  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

DATED: December 21, 2012