

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for approval of revisions to contribution-in-aid-of-construction definition in Section 12.1 of First Revised Tariff Sheet No. 6.300, by Florida Power & Light Company.

DOCKET NO. 060150-EI
ORDER NO. PSC-06-0367-PCO-EI
ISSUED: May 1, 2006

ORDER GRANTING INTERVENTION

By petition filed March 17, 2006, the Town of Palm Beach, Florida (Palm Beach), has requested permission to intervene in this proceeding. Florida Power & Light Company (FPL) has responded that it does not object to Palm Beach's participation as a party in this docket. Palm Beach states that it is a substantial customer of FPL, and that it owns and operates numerous municipal facilities and lighting equipment for which it purchases electric services from FPL. Further, Palm Beach states that it has ongoing interests in converting the existing overhead electric distribution lines in Palm Beach to underground service, a transaction that is governed in part by the subject Tariff Sheet No. 6.300 that FPL proposes to amend in this docket. Palm Beach states that accordingly, it has direct and substantial interests in this Commission's decisions regarding proposed amendments to that tariff, and is therefore entitled to intervene in this docket to protect its interests.

Because it appears that Palm Beach has a substantial interest in the proceeding, its petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, Palm Beach takes the case as it finds it.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the petition to intervene filed by Town of Palm Beach, Florida, is hereby granted. It is further

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings, and other documents which may hereinafter be filed in this proceeding to:

Robert Scheffel Wright, Attorney at Law
John T. LaVia, III, Attorney at Law
Young van Assenderp, P.A.
225 South Adams Street, Suite 200
Tallahassee, Florida 32301
Telephone: (850) 222-7206
Facsimile: (850) 561-6834
E-Mails: swright@yvlaw.net
and jlavia@yvlaw.net

Courtesy copy to:
Thomas G. Bradford, Deputy Town Manager
Town of Palm Beach, Florida
360 South County Road
Palm Beach, Florida 33401
Telephone: (561) 838-5410
Facsimile: (561) 838-5411
E-Mail: TBradford@townofpalmbeach.com

DOCUMENT NUMBER-DATE

03818 MAY-18

FPSC-COMMISSION CLERK

By ORDER of the Florida Public Service Commission this 1st day of May, 2006.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(SEAL)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural, or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas, or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the Commission Clerk and Administrative Services, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural, or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.