

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for declaratory statement regarding applicability of Rule 25-6.0423, F.A.C., by Florida Power & Light Company. | DOCKET NO. 080083-EI  
ORDER NO. PSC-08-0231-PCO-EI  
ISSUED: April 7, 2008

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By petition dated March 28, 2008, the Florida Industrial Power User's Group (FIPUG) has requested permission to intervene in this proceeding. FIPUG states that its participants require an adequate, reasonably priced and reliable source of electricity in order to compete in their respective markets. FIPUG disputes whether the totality of the costs at issue, as opposed to the carrying costs thereof, can be collected in advance by FPL pursuant to Section 366.93, Florida Statutes.

Having reviewed the Petition, it appears that FIPUG's substantial interests may be affected by this proceeding. There has been no response filed in opposition to this request. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, petitioner takes the case as it finds it.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition to Intervene filed by the Florida Industrial Power User's Group 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:

John W. McWhirter, Jr.  
McWhirter & Davidson, P.A.  
400 North Tampa St., Suite 2450  
Tampa, FL 33601

By ORDER of the Florida Public Service Commission this 7th day of April, 2008.



ANN COLE  
Commission Clerk

( S E A L )

RCB

DOCUMENT NUMBER-DATE

02647 APR-7 8

FPSC-COMMISSION CLERK

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 Office of Commission Clerk, 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.