

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Review of nuclear outage)
at Florida Power Corporation's)
Crystal River Unit 3.)

DOCKET NO. 970261-EI
Filed May 27, 1997

ORIGINAL
FILE COPY

PETITION OF LAKE DORA HARBOUR HOMEOWNERS
ASSOCIATION, INC. FOR LEAVE TO INTERVENE

The Lake Dora Harbour Homeowners Association, Inc., by and through its undersigned attorneys, pursuant to Section 120.53, Florida Statutes, and Rules 25-22.036(7)(a) and 25-22.039, Florida Administrative Code, petitions for leave to intervene in the above-styled proceeding, and in support thereof states:

1. The name and address of petitioner is as follows:

Lake Dora Harbour Homeowners Association, Inc.
130 Lakeview Lane
Mt. Dora, Florida 32757

Documents relating to this proceeding should be served on:

Michael B. Twomey, Esquire
Post Office Box 5256
Tallahassee, Florida 32314-5256
Telephone: (904) 421-9530
Fax: (904) 421-8543

and

James M. Scheffer
President
Lake Dora Harbour Homeowners Association, Inc.
130 Lakeview Lane
Mt. Dora, Florida 32757
Telephone (352) 735-4124

2. The Lake Dora Harbour Homeowners Association, Inc., is a homeowners'

association located in the Mount Dora service area of Florida Power Corporation. All members of the Lake Dora Harbour Homeowners Association, Inc. take their regulated electric service

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from Florida Power Corporation, which has a Florida Public Service Commission ("Commission") granted monopoly to provide electric service in that geographic area.

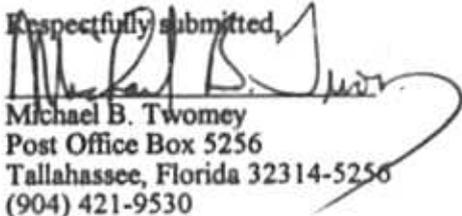
3. In the above-styled docket the Commission is examining the prudence of certain "replacement fuel" costs incurred by Florida Power Corporation in connection with an on-going outage of its Crystal River Unit No. 3 ("CR 3") nuclear generating unit. The Commission has, effective April 1, 1997, already allowed Florida Power Corporation to begin collecting from all its customers, an increased fuel adjustment charge, some \$2.22 per thousand kWh of consumption of which is specifically the result of the current CR 3 outage. The \$2.22, in turn, is stated to represent only one-half Florida Power Corporation's replacement fuel cost underrecovery experienced during the September, 1996 through March, 1997 period and none of the underrecovery currently being incurred during the present period of April through September, 1997. Likewise, the currently approved fuel adjustment charge does not include an amount to recover the replacement fuel costs that will result from the continuation of the outage expected during the last quarter of 1997. It has been reported by Florida Power Corporation that the expected approximate replacement fuel underrecovery for each of the months CR 3 is out of service is \$10 million. It appears that the instant case may determine Florida Power Corporation's entitlement to recover, and its customers' obligation to pay, replacement fuel costs for the entire duration of the CR 3 outage, not just the amounts incurred to date.

4. As a consequence of the Commission's approval of the current Florida Power Corporation's current fuel adjustment charge, the members of the Lake Dora Harbour Homeowners Association, Inc. have already had their Section 120.57, F.S. substantial interests adversely affected by being required to pay increased fuel costs whose amount have not yet been legally proven to be "necessary and prudent." Additionally, it appears that the petitioners Section 120.57, F.S. rights may be further adversely impacted by these hearings by the clear potential of them being ordered to pay a substantially higher replacement fuel adjustment factor to

compensate Florida Power Corporation for current and future CR 3 replacement fuel underrecoveries. Accordingly, the Lake Dora Harbour Homeowners Association, Inc. and its members are persons "whose substantial interests are being determined in [this] proceeding" within the definition of Section 120.52(12), Florida Statutes, and who are per se entitled to status as "parties" in this proceeding.

WHEREFORE, the Lake Dora Harbour Homeowners Association, Inc. requests that it be granted leave to intervene and be permitted to participate in this proceeding with full rights as a party.

Respectfully submitted,


Michael B. Twomey
Post Office Box 5256
Tallahassee, Florida 32314-5256
(904) 421-9530

and

Wayne R. Malaney
Post Office Box 7014
Tallahassee, Florida 32314-7014
(904) 656-0000

Attorneys for the Lake Dora Harbour
Homeowners Association, Inc.
Association, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the foregoing has been furnished by U.S. Mail this 27th day of May, 1997 to the following persons:

James A. McGee, Esquire
Florida Power Corporation
Post Office Box 14042
St. Petersburg, Florida 33733-4042

Vicki Kaufman, Esquire
McWhirter Law Firm
117 S. Gadsden Street
Tallahassee, Florida 32301

John McWhirter, Esquire
McWhirter Law Firm
Post Office Box 3350
Tampa, Florida 33601-3350

John Roger Howe, Esquire
Office of Public Counsel
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, Florida 32399-1400

Robert Elias, Esquire
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Michael Gross, Esquire
Department of Legal Affairs
PL-01, The Capitol
Tallahassee, Florida 32399-1300


Attorney