

GREENBERG
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SEP 29 2003

September 29, 2003

Blanco S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
4075 Esplanade Way
Easley Building, Room 110
Tallahassee, FL 32399

Via Hand Delivery

Re: Docket No. 030001-EI

Dear Ms. Bayo:

Enclosed is an original and fifteen (15) copies of Florida Retail Federal's Petition to Intervene in the above-referenced docket.

We have also enclosed a copy of the document on diskette, prepared in Microsoft Word 200 compatible.

Thank you in advance for your assistance.

Sincerely yours,

Ronald C. LaFace

RCL/pjc
Enclosures

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FORT LAUDERDALE BOCA RATON WEST PALM BEACH ORLANDO TALLAHASSEE

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchased Power
030001-EI Cost Recovery Clause With
Generating Performance Incentive
Factor

DOCKET NO. 030001-EI
DATED: September 29, 2003

**PETITION TO INTERVENE
BY FLORIDA RETAIL FEDERATION**

Florida Retail Federation ("FRF") petitions to intervene in Docket No. 030001-EI pursuant to Chapter 366, Florida Statutes and Rules 25-22.039 and 28-106.205, Florida Administrative Code. In support of this Petition, FRF states:

1. FRF is an association of retail operators, a substantial portion of which pay for power at rates approved by the Florida Public Service Commission ("PSC"). The Federation is a "person" as defined by §1.01 and §120.52(13), Florida Statutes. The Federation is authorized to monitor the basis for fuel adjustment factors of electrical companies such as exist in this docket and to challenge such components.

2. The Federation maintains offices at 100 E. Jefferson Street, Tallahassee, Florida 32301, telephone number (850) 222-3461. However, for the purposes of this Petition, the Federation may be contacted through its counsel, Ronald C. LaFace and Seann M. Frazier, Greenberg Traurig, P.A., 101 East College Avenue, Tallahassee, FL 32301, telephone number (850) 222-6891.

3. The agency affected by this Petition is the State of Florida, Public Service Commission ("PSC"), located at 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, telephone number (850) 413-6248. However, this docket concerns fuel adjustment petitions by various entities all of which affect the members of the Florida Retail Federation.

4. Various electric entities petitioned the PSC to approve the increases to be recovered in 2003 through its Fuel and Purchased Power Cost Recovery ("FCR") Clause.

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5. The Federation is an organization of large retail consumers. A substantial portion of the Federation's members are customers of the entities petitioning. As consumers of large amounts of electricity, the Federation and its members will be substantially affected by actions taken in this docket.

6. Disputed issues of fact include, but are not limited to, all facts related to fuel adjustment factors described in this docket.

7. As a matter of ultimate fact and law, the PSC should investigate fuel adjustment factors and appropriate relief should be afforded to retail consumers.

For the foregoing reasons, FRF requests that the Commission grant the FRF's Petition to Intervene and accord it full party status in this docket.

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JOHN A. ROGERS
Sr. Vice President and General Counsel

Co-Counsel for Florida Retail Federation

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by facsimile and United States Mail on this 29th day of September, 2003, to the following:

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