

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Fuel and Purchased Power Cost Recovery)
Clause with Generating Performance Incentive)
Factor.)
_____)**

Docket No. 030001-EI

Filed November 6, 2003

PETITION TO INTERVENE

Pursuant to Sections 120.569 and 120.57(1), Florida Statutes, and Rule 25-22.039, Florida Administrative Code, the Sugarmill Woods Civic Association, Inc., through its undersigned attorney, files its Petition to Intervene, and in support thereof, state as follows:

1. The name and address of the affected agency are:

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

2. The name and address of the petitioner are:

Sugarmill Woods Civic Association, Inc.
108 Cypress Blvd. West
Homosassa, Florida 34446

3. All pleading, motions, orders and other documents directed

to the petitioners should be served on:

Michael B. Twomey
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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

Substantial Interests Affected

4. Progress Energy Florida Inc. is an investor-owned electric utility subject to the jurisdiction of the Florida Public Service Commission. Progress Energy Florida Inc. provides retail electric service to customers throughout portions of Florida including the majority of the geographic area encompassed by Sugarmill Woods.

5. Sugarmill Woods Civic Association, Inc. is a non-profit corporation formed to represent the interests of residents of the Sugarmill Woods community. There are approximately 4,000 households in Sugarmill Woods and roughly 3,700 of these receive their retail electric service from Progress Energy Florida Inc., while the remainder take such service from an adjacent electric cooperative.

6. Rule 25-22.039, F.A.C., provides:

Intervention. Persons, other than the original parties to a pending proceeding, who have a substantial interest in the proceeding, and who desire to become parties may petition the presiding officer for leave to intervene. Petitions for leave to intervene must be filed at least five (5) days before the final hearing, must conform with Uniform Rule 28-106.201(2) and must include allegations sufficient to demonstrate that the intervenor is entitled to participate in the proceeding as a matter of constitutional or statutory right or pursuant to Commission rule, or. Intervenors take the case as they find it.

7. The fundamental purpose of this docket is to examine the reasonableness and prudence of the fuel and related costs, including transportation expense, of the state's investor-owned electric utilities, including those of Progress Energy Florida Inc..

8. As residential customers of Progress Energy Florida Inc. the approximately 3,700 Sugarmill Woods households served by that utility have electricity rates, and, thus, economic

substantial interests, that will be determined by the level of fuel and fuel transportation charges this Commission allows Progress Energy Florida Inc. to charge them through the proceedings conducted in this docket.

9. Sugarmill Woods Civic Association, Inc. has been granted party status throughout the years in a number of Commission dockets for the purpose of representing its members substantial interests, including several dockets involving Florida Water Service Corp. and at least one recent rate reduction docket involving the retail rates of Progress Energy Florida Inc.

Disputed Issues of Fact and Law

9. The following issues have been identified by the as disputed issues of material fact:

- a. Are the dollar amounts sought by Progress Energy Florida Inc. for fuels of all types for recovery through this docket reasonable and prudent?
- b. Are the dollar amounts sought by Progress Energy Florida Inc. for the transportation of fuels of all types for recovery through this docket reasonable and prudent?

10. The following has been identified by Sugarmill Woods Civic Association, Inc. as an ultimate fact:

- a. Florida Progress Energy Inc. has failed to demonstrate that all of the fuel and fuel transportation costs sought for recovery through this docket are reasonable and prudent.

WHEREFORE, the Sugarmill Woods Civic Association, Inc. requests that the Commission grant it intervenor status in this docket as a full party.

Respectfully submitted,

/s/ Michael B. Twomey

Michael B. Twomey

Attorney for Petitioner

Sugarmill Woods Civic Association, Inc

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this petition has been served by U.S.

Mail or email this 6th day of November, 2003 on the following:

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