

JAMES E. "JIM" KING, JR.
President

ORIGINAL

JOHNNIE BYRD
Speaker

STATE OF FLORIDA
OFFICE OF PUBLIC COUNSEL



c/o THE FLORIDA LEGISLATURE
111 WEST MADISON ST.
ROOM 812
TALLAHASSEE, FLORIDA 32399-1400
850-488-9330

Harold McLean
Public Counsel

January 7, 2004

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

RECEIVED - FPSC
COMMISSION
CLERK
JAN - 7 PH 4: 06

RE: Docket No. 040007-GU

Dear Ms. Bayó:

Enclosed for filing in the above-referenced docket are the original and ten (10) copies of Office of Public Counsel's Notice of Intent to Retain Party Status.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

Sincerely,

RECEIVED & FILED

Oh
FPSC-BUREAU OF RECORDS

Robert Vandiver
Robert Vandiver
Associate Public Counsel

RV/pwd
Enclosures

- AUS _____
- CAF _____
- CMP _____
- COM 5 _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- SEC T _____
- OTH AMJ _____

*Done 01/08/04
jmm*

DOCUMENT NUMBER-DATE

00242 JAN -7 04

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power)
cost recovery clause with)
generating performance incentive)
Factor.)
_____)

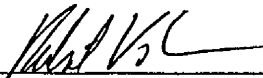
DOCKET NO. 040007-EI
FILED: January 7, 2003

**OFFICE OF PUBLIC COUNSEL'S
NOTICE OF INTENT TO RETAIN PARTY STATUS**

The Office of Public Counsel (OPC) hereby serves notice of its intent to retain party status in the above entitled docket and requests that copies of all pleadings, orders, notices and other papers filed in this proceeding be served on the following:

Robert Vandiver
Office of Public Counsel
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400

DATED this 7th day of January 2004.



Robert Vandiver
Fla. Bar No. 344052
Associate Public Counsel
Office of Public Counsel
111 W. Madison Street, Room 812,
Tallahassee, Florida, 32399-1400
(850) 224-9115

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Citizens Notice of Intent to Retain Party Status has been furnished by U.S. Mail on this 7th day of January, 2004, to the following:

James Beasley
Lee Willis
Ausley Law Firm
Post Office Box 391
Tallahassee, FL 32302

John McWhirter, Jr
McWhirter Reeves Law Firm
400 North Tampa Street, Suite 2450
Tampa, FL 33602

Bill Walker
Florida Power & Light
215 South Monroe Street, Ste 818
Tallahassee, FL 32301-1859

Mr. R. Wade Litchfield
Florida Power & Light Company
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Juno Beach, FL 33408-0420

James A. McGee
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Post Office Box 14042
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Tallahassee, FL 32314

Susan D. Ritenour
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Joseph McGlothlin
Vicki Kaufman
McWhirter Law Firm
117 S. Gadsden Street
Tallahassee, FL 32301

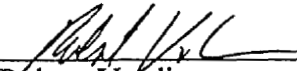
John T. Butler, P.A.
Steele Law Firm
200 S. Biscayne Blvd. Ste. 4000
Miami, FL 33131-2398

Angela Llewellyn
Tampa Electric Company
Post Office Box 111
Tampa, FL 33601-0111

Jeffrey Stone/Russell Badders
Beggs & Lane Law Firm
P.O. Box 12950
Pensacola, FL 32591-2950

Progress Energy Florida, Inc.
Paul Lewis, Jr. / Bonnie Davis
106 E. College Avenue
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John T. English
Florida Public Utilities
P.O. Box 3395
West Palm Beach, FL 33402-3395



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