

ORIGINAL

JAMES E. "JIM" KING, JR.
President

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

Stephen C. Burgess
Deputy Public Counsel

May 10, 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

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MAY 10 PM 3:14
COMMISSION
CLERK

RE: Docket No. 040206-EI

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of Citizens' Notice of Intervention for filing in the above-referenced docket.

Please indicate receipt of filing by date-stamping the attached copy of this letter and returning it to this office. Thank you for your assistance in this matter.

Sincerely,

Stephen C. Burgess
Deputy Public Counsel

DMP _____
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CTR _____
ECR _____
GCL SCB/dsb
OPC _____
MMS _____
RCA _____
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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER - DATE

05419 MAY 10 04

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to determine need for Turkey
Point Unit 5 electrical power plant, by Florida
Power & Light Company.

DOCKET NO. 040206-EI
FILED: May 10, 2004

CITIZENS' NOTICE OF INTERVENTION

The Citizens of the State of Florida, through their attorney, the Public Counsel, pursuant to Section 350.0611, Florida Statutes, and Rule 25-22.039, Florida Administrative Code, hereby give notice of intervention in the above-referenced docket.

The Citizens submit:

1. The docket number is 040206-EI and the name of the agency is the Florida Public Service Commission.
2. The Intervenor is the Office of Public Counsel, 111 West Madison Street, Room 812, Tallahassee, Florida 32399-1400, and is entitled to participate as a matter of statutory right under Section 350.0611(1), which authorizes the Public Counsel "to appear in the name of the state or its citizens, in any proceeding or action before the commission...."
3. Pleadings and other communications should be addressed to the Intervenor

as:

Harold McLean
Public Counsel
Stephen C. Burgess
Deputy Public Counsel
Office of Public Counsel
111 West Madison Street, Room 812
Tallahassee, Florida 32399-1400

4. The Intervenor became aware of this docket in the normal course of its monitoring of PSC proceedings.

5. At this time, the Citizens are not raising any disputed issues of material fact beyond those issues raised by other parties in this docket.

WHEREFORE, the Citizens of the State of Florida hereby give notice of intervention into the above-referenced docket.

Respectfully submitted,

HAROLD MCLEAN
Public Counsel



STEPHEN C. BURGESS
Deputy Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400

(850) 488-9330

Attorneys for the Citizens of the
State of Florida

**CERTIFICATE OF SERVICE
DOCKET NO. 040206-EI**

I **HEREBY CERTIFY** that a true and exact copy of the above and foregoing CITIZENS' NOTICE OF INTERVENTION has been furnished by hand-delivery* or U.S. Mail to the following parties of record this 10th day of May, 2004:

Jennifer Brubaker, Esquire
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

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

John C. Moyle
Cathy M. Sellers
118 North Gadsden Street
Tallahassee, FL 32301

Donna E. Blanton
c/o Radey Thomas Law Firm
313 N. Monroe Street, Suite 200
Tallahassee, FL 32301

Buck Oven
DEP
Siting Coordination Office
2600 Blairstone Road, MS 48
Tallahassee, FL 32301


Calpine Energy Services, L.P
2701 North Rocky Point Drive, Ste. 10
Tampa, FL 33607

Mr. Bill Walker
Florida Power & Light Company
215 South Monroe Street, Ste. 810

Department of Community Affairs
Paul Darst
Strategic Planning
2555 Shumard Oak Boulevard
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Mark S. Sajer
c/o SEP Homestead, LLC
99 Summit Avenue, Suite 9C
Summit, NJ 07901

Bruce May
Holland & Knight Law Firm
P.O. Drawer 810
Tallahassee, FL 32302-0810



Stephen C. Burgess
Deputy Public Counsel