

Ruth Nettles

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Sent: Thursday, April 17, 2008 11:26 AM
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Subject: Filing Docket 080148
Attachments: PEF Response to Southern Alliance Petition to Intervene.pdf

Docket No. 080148 In re: Petition for Determination of Need for Levy Units 1 and 2 Nuclear Power Plants

Attached for filing and e-service on behalf of Progress Energy Florida, Inc. is Progress Energy Florida, Inc.'s Response to Petition to Intervene of Southern Alliance for Clean Energy (3 pages).

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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Determination of)
Need for Levy Units 1 and 2 Nuclear)
Power Plants.)

Docket No: 080148-EI

Submitted for Filing: April 17, 2008

**PROGRESS ENERGY FLORIDA, INC'S RESPONSE TO
PETITION TO INTERVENE OF SOUTHERN ALLIANCE FOR CLEAN ENERGY**

Progress Energy Florida ("PEF" or the "Company"), pursuant to Rules 28-106.204 and 28-106.205, F.A.C., files its response to the petition to intervene filed by Southern Alliance for Clean Energy ("SACE") on April 10, 2008 and states:

1. PEF does not object to SACE's intervention, but PEF does not agree with or support the issues as framed by SACE in their alleged disputed issues of material fact in SACE's petition to intervene.

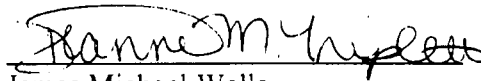
2. The Florida Legislature set forth the issues to be determined in this proceeding in Section 403.519(4), Florida Statutes, as amended. The tentative issues list, which is attached as Appendix A to the Order Establishing Procedure, Order Number PSC-08-0151-PCO-EI, accurately reflects these issues as set forth in Section 403.519, Florida Statutes. Nothing more is needed or at issue in this proceeding.

3. PEF also does not agree with or support any characterizations or summary of the legal authority cited in the petition to intervene.

WHEREFORE, PEF respectfully responds that (1) PEF does not oppose SACE's intervention but the issues in this proceeding have been determined by the Florida Legislature in Section 403.519, Florida Statutes, and they are set forth in the tentative issues list attached to the Order of Procedure; and (2) the controlling legal authority for this proceeding speaks for itself.

Respectfully submitted this 17th day of April, 2008.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY a true and correct copy of the foregoing has been furnished to counsel and parties of record as indicated below via U.S. Mail this 17th day of April, 2008.


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