

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for declaratory statement with
Respect to use of decommissioning trust fund
Dollars for spent fuel and other non-radiological
Decommissioning costs for Crystal River 3
Nuclear Plant.

DOCKET NO.: 130207-EI
FILED: September 18, 2013

**FLORIDA INDUSTRIAL POWER USERS GROUP'S
PETITION TO INTERVENE**

Pursuant to sections 120.569, 120.57, Florida Statutes, and rules 25-22.039, 28-106.201 and 28-106.205, Florida Administrative Code, the Florida Industrial Power Users Group (FIPUG), through its undersigned counsel, files its Petition to Intervene. In support thereof, FIPUG states the following:

1. Name and address of agency. The affected agency is the Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

2. Name and address of Petitioner. The name and address of the Petitioner is:

Florida Industrial Power Users Group
c/o Moyle Law Firm, P.A.
118 North Gadsden Street
Tallahassee, Florida 32301
Telephone: (850) 681-3828
Facsimile: (850) 681-8788

3. Petitioner's representatives. Copies of all pleadings, notices and orders in this docket should be provided to:

Jon C. Moyle, Jr.
Karen A. Putnal
Moyle Law Firm, P.A.
118 North Gadsden Street
Tallahassee, Florida 32301
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jmoyle@moylelaw.com
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4. Notice of docket. Petitioner received notice of this docket by reviewing the Commission's website.

5. Statement of Substantial Interests. FIPUG is an ad hoc association consisting of industrial users of electricity in Florida. The cost of electricity constitutes a significant portion of FIPUG members' overall costs of production. FIPUG members require adequate, reasonably-priced electricity in order to compete in their respective markets.

6. In this case, the Commission will consider the request of Duke Energy Florida ("DEF") for a declaratory statement that will likely impact the costs that DEP recovers from rate payers for nuclear decommissioning of the Crystal River 3 plant. The decision committee will affect FIPUG members' substantial interests by altering their costs of electricity. Thus, as customers of DEF, FIPUG members' substantial interests will be affected in this docket.

7. FIPUG's interests are of the type that this proceeding is designed to protect. *See, Agrico Chemical Company v. Department of Environmental Regulation*, 406 So.2d 478 (Fla. 2nd DCA 1981). The purpose of the proceeding is to evaluate Gulf's requests and determine if any of the requests have merit. Thus, the purpose of the proceeding coincides with FIPUG members' substantial interests, which is to ensure that the rates they pay to Gulf are just and reasonable.

8. Disputed Issues of Material Fact. None at this time.

9. Disputed Legal Issues. None at this time.

10. Statement of Ultimate Facts Alleged. None at this time.

11. Rules and statutes justifying relief. The rules and statutes that entitle FIPUG to intervene and participate in this case include, but are not limited to:

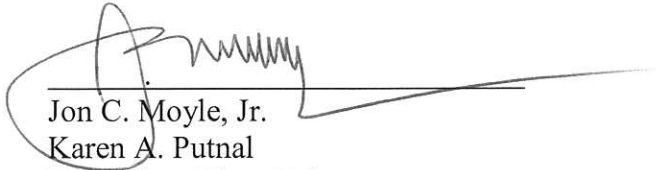
a. Section 120.565, Florida Statutes;

b. Rule 28-105.002, Florida Administrative Code;

12. Relief. FIPUG requests that it be permitted to intervene as a full party in this docket.

13. Position of DEF regarding FIPUG's petition to intervene. The undersigned is authorized to represent that DEF does not object to FIPUG being granted full party status as an intervenor in this case.

WHEREFORE, FIPUG requests that the Commission enter an order allowing it to intervene and participate as a full party in this docket.



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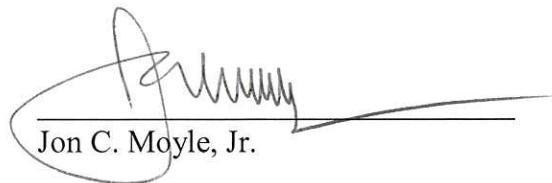
CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Florida Industrial Power Users Group's Petition to Intervene has been furnished by electronic mail this 18th day of September, 2013, to the following:

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