

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Commission review of numeric
Conservation goals (Gulf Power Company).

DOCKET NO.: 130202-EI

FILED: December 31, 2013

**THE 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:

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
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.
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4. Notice of docket. Petitioner received notice of this docket by a review of the Commission's website.

5. Statement of Substantial Interests. FIPUG is an ad hoc association consisting of large industrial users of electricity in Florida. The cost of electricity constitutes a significant portion of FIPUG companies' 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 review the demand side management (DSM) programs, and proposed programs of Gulf Power Company (Gulf). Upon the Commission's approval, such programs will be funded by Florida ratepayers, including FIPUG members. FIPUG was an intervenor in the prior dockets in which the Commission set conservation goals. Thus, the substantial interests of FIPUG member companies 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 review, approve and fund appropriate conservation programs. Thus, the purpose of the proceeding coincides with FIPUG companies' substantial interests, which is to ensure that the rates they pay are just and reasonable.

8. Disputed Issues of Material Fact. Disputed issues of material fact include, but are not limited to, the following:

- a. What is the potential rate impact if Gulf's existing and proposed DSM programs are approved?
- b. Are there more cost-effective ways for Gulf to meet its conservation goals?

9. Statement of Ultimate Facts Alleged. Ultimate facts include, but are not limited to, the following:

a. Should Gulf's existing and proposed DSM programs be approved?

10. 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 120.569, Florida Statutes;

b. Section 120.57, Florida Statutes;

c. Sections 366.80-.85(1), Florida Statutes;

d. Rule 25-22.039, Florida Administrative Code;

e. Rule 28-106.201, Florida Administrative Code.

f. Rule 28-106.205, Florida Administrative Code.

g. Rule 25-17.001 through 25-17.005 Florida Administrative Code.

h. Rule 28-17.0021, Florida Administrative Code.

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

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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Attorneys for Florida Industrial
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CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing The Florida Industrial Power Users Group's Petition to Intervene has been furnished by electronic mail this 31th day of December, 2013, to the following:

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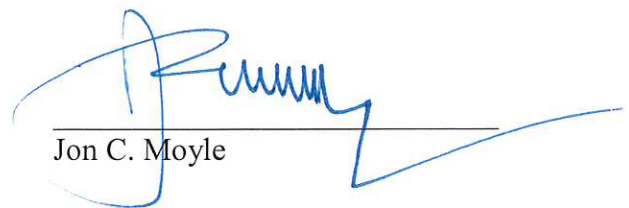
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