

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Tampa
Electric Company for approval of
cost recovery for a new
environmental program, the Big
Bend Units 1 & 2 Flue Gas
Desulfurization System.

DOCKET NO. 980693-EI
ORDER NO. PSC-98-1168-PCO-EI
ISSUED: August 28, 1998

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By petition, filed August 14, 1998, the Legal Environmental Assistance Foundation, Inc. (LEAF) has requested permission to intervene in this proceeding. According to Rule 25-22.039, Florida Administrative Code, intervenors must:

[D]emonstrate that the intervenor is entitled to participate in the proceeding as a matter of constitutional or statutory right or pursuant to Commission rule, or that the substantial interests of the intervenor are subject to determination or will be affected through the proceeding.

LEAF has alleged that its substantial interests will be affected by the outcome of Tampa Electric Company's (TECO) petition. LEAF contends that its corporate purposes include "ensuring environmental and health benefits to its members and the public." LEAF asserts in its filing that its members and the public use and enjoy "natural resources whose quality is at risk from pollution from electric generation facilities, including the Big Bend power plant." LEAF also maintains that many of its members and members of the general public who it represents are TECO customers.

Neither TECO, Florida Industrial Power User's Group, or the Office of Public Counsel, the other parties in this proceeding, have stated an objection to LEAF's intervention. Having reviewed the petition, we find that it should be granted. Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition to Intervene filed by Legal Environmental Assistance Foundation, Inc., is hereby granted. It is further

DOCUMENT NUMBER-DATE

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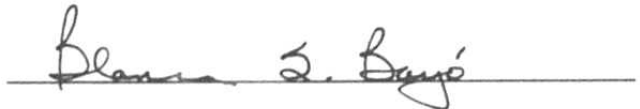
OFFICE OF PUBLIC COUNSEL

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ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in this proceeding, to:

Legal Environmental Assistance Foundation
Gail Kamaras, Esquire
1114 Thomasville Road, Suite E
Tallahassee, Florida 32303-6290

By ORDER of the Florida Public Service Commission, this 28th day of August, 1998.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

GAJ

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2),

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Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.