

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition of Gulf Power Company  
to determine need for proposed  
electrical power plant in Bay  
County.

DOCKET NO. 990325-EI  
ORDER NO. PSC-99-0836-PCO-EI  
ISSUED: April 26, 1999

ORDER GRANTING PETITION FOR INTERVENTION

By Petition filed March 30, 1999, Legal Environmental Assistance Foundation, Inc. (LEAF) requested permission to intervene in this proceeding. There has been no response filed in opposition to this request.

LEAF argues in its Petition for Intervention that its substantial interests are subject to determination and will be affected by Commission action taken in this proceeding. LEAF states that Rules 28-106 and 25-22, Florida Administrative Code and Chapters 120, 366 and 403, Florida Statutes entitle LEAF and its members to relief.

LEAF asserts that its substantial interests in this determination of need are:

[S]ecuring the environmental and health benefits of increased efficiency in the delivery of energy services and increased use of cleaner energy resources to meet energy service needs.

LEAF describes itself as a public interest advocacy group with corporate purposes of protecting the environment and public health. LEAF maintains that a substantial number of its members have an interest in the environmental and energy effects which will result from the decision in this docket, including any decisions on the potential for renewable energy and energy efficiency. LEAF asserts that the decision in this docket will "substantially influence how electric power is provided to Floridians and what energy resources (including demand resources) are relied upon, thereby influencing the environmental and health impacts of meeting Florida's energy service needs." (Petition at 2) LEAF further states in its petition that it and its members have an interest in determining whether Gulf Power Company (Gulf) has "adequately considered the reasonably available conservation measures which might mitigate or defer the need for the proposed facility." (Petition at 2)

DOCUMENT NUMBER-DATE

05304 APR 26 89

FPSC-RECORDS/REPORTING

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Having considered the pleading and there being no opposition to it, LEAF's Petition is granted.

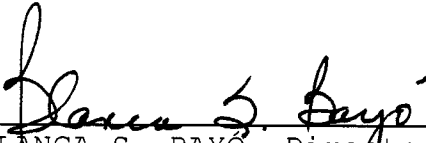
It is therefore

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

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:

Gail Kamaras, Esquire, and Debra Swim, Esquire  
Legal Environmental Assistance Foundation  
1114 Thomasville Road, Suite E  
Tallahassee, Florida 32303

By ORDER of the Florida Public Service Commission this 26th day of April, 1999.

  
\_\_\_\_\_  
BLANCA S. BAYO, Director  
Division of Records and Reporting

( S E A L )

GAJ

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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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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 25-22.0376, 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.

M E M O R A N D U M

APRIL 23, 1999

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RECORDS AND  
REPORTING

TO: DIVISION OF RECORDS AND REPORTING  
FROM: DIVISION OF LEGAL SERVICES (JAYEW) *RUE*  
RE: DOCKET NO. 990325-EI - PETITION OF GULF POWER COMPANY TO  
DETERMINE NEED FOR PROPOSED ELECTRICAL POWER PLANT IN BAY  
COUNTY.

99-0836-PCO

Attached is an ORDER GRANTING PETITION FOR INTERVENTION to be  
issued in the above-referenced docket. (Number of pages in order  
- 3)

GAJ/js

Attachment

cc: Division of Electric and Gas (Haff, Colson, Makin, Bohrmann)  
Division of Auditing and Financial Analysis (Dickens, Samaan,  
Maurey)

I:990325in.gaj

*See 1, 2*

*119 self-mailer*

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Notice of \_\_\_\_\_ For (Date) \_\_\_\_\_ In Docket No. \_\_\_\_\_  
Other \_\_\_\_\_

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