

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to determine  
need for an electrical power  
plant in Martin County by  
Florida Power & Light Company.

DOCKET NO. 020262-EI

In re: Petition to determine  
need for an electrical power  
plant in Manatee County by  
Florida Power & Light Company.

DOCKET NO. 020263-EI  
ORDER NO. PSC-02-1057-PCO-EI  
ISSUED: August 5, 2002

ORDER GRANTING PETITION TO INTERVENE

The Florida Industrial Power Users Group (FIPUG) filed a Petition to Intervene in these need determination dockets on July 24, 2002. Florida Power & Light Company (FPL) did not respond to FIPUG's petition.

In its petition, FIPUG states that it is an ad hoc association of industrial electricity users in Florida who require adequate, reasonably priced electricity in order to compete in their respective markets. FIPUG asserts that if FPL receives approval from the Commission in these dockets to build its proposed Martin and Manatee generating units, FPL will seek to recover the costs of the projects from its customers, including FIPUG's members. FIPUG states that:

A failure to select the most cost-effective alternative will affect FIPUG members by unnecessarily and unjustifiably increasing their costs of electricity, thereby affecting their production costs, their competitive posture and their levels of employment.

FIPUG has adequately alleged that the substantial interests of its members may be affected by the Commission's decision in these dockets, and that those interests are both the type of interest the Commission's need determination proceedings are designed to protect and the type of interest FIPUG is entitled to represent on behalf of its members. For these reasons, FIPUG's Petition to Intervene is granted.

It is therefore

DOCUMENT NUMBER-DATE

08163 AUG-5 02

FPSC-COMMISSION CLERK

ORDER NO. PSC-02-1057-PCO-EI  
DOCKETS NOS. 020262-EI, 020263-EI  
PAGE 2

ORDERED by Commissioner J. Terry Deason as the Prehearing Officer that the Petition to Intervene filed by the Florida Industrial Power Users group 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:

John W. McWhirter  
McWhirter, Reeves, McGlothlin, Davidson, Decker,  
Kaufman & Arnold, P.A.  
400 North Tampa Street  
Suite 3350  
Tampa, FL 33602

Vicki G. Kaufman  
Timothy J. Perry  
McWhirter, Reeves, McGlothlin, Davidson, Decker,  
Kaufman & Arnold, P.A.  
117 South Gadsden Street  
Tallahassee, FL 32301

By ORDER of Commissioner J. Terry Deason as Prehearing Officer, this 5th day of August, 2002.

  
J. TERRY DEASON  
Commissioner and Prehearing Officer

( S E A L )

MCB

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 the Commission Clerk and Administrative Services, 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.