

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of GridFlorida  
Regional Transmission  
Organization (RTO) Proposal.

DOCKET NO. 020233-EI  
ORDER NO. PSC-02-1326-PCO-EI  
ISSUED: October 1, 2002

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By joint petition filed September 12, 2002, the Florida Phosphate Council (Phosphate Council) and the Florida Industrial Cogeneration Association (FICA) request leave to intervene in this proceeding. The Phosphate Council is a private, not-for-profit trade association representing phosphate mining and fertilizer manufacturing companies in central and north Florida. FICA is a not-for-profit trade association representing Florida industrial cogenerators. FICA members, which include a majority of the Florida phosphate companies, self-generate, consume and purchase substantial quantities of electricity. There is a significant overlap of membership between FICA and the Phosphate Council.

In support of their petition, the Phosphate Council and FICA state that they both produce and consume large quantities of electricity, the cost of which comprises a substantial portion of fertilizer manufacturing costs. The petitioners' members own and operate cogeneration facilities, and some members own and operate transmission lines used to deliver excess electricity from cogeneration facilities to other locations of the member. The petitioner's members purchase interruptible, supplemental and standby electricity from Tampa Electric Company (TECO) and Florida Power Corporation (FPC). The petitioners' members are connected to and rely on Florida's electric transmission system as purchasers and producers of electricity. Also, some petitioner's members operate Qualifying Facilities and sell electricity to TECO and FPC, and are currently allowed to sell electricity to any Florida electric utility.

No response in opposition to the joint petition has been filed, and the time for doing so has expired.

Having reviewed the joint petition, it appears that both the Phosphate Council and FICA's substantial interests may be affected

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by this proceeding. Therefore, the petition is granted. Pursuant to Rule 25-22.039, Florida Administrative Code, the Phosphate Council and FICA take the case as they find it.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Joint Petition to Intervene, filed by the Florida Phosphate Council and the Florida Industrial Cogeneration Association, is hereby granted. It is further

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents that are hereinafter filed in this proceeding, to the following:

Richard A. Zambo, Esq.  
Richard A. Zambo, P.A.  
598 SW Hidden River Avenue  
Palm City, FL 34990  
Telephone (772) 220-9163  
Facsimile (772) 220-9402  
Electronic mail [richzambo@aol.com](mailto:richzambo@aol.com)

By ORDER of the Florida Public Service Commission this 1st day of October, 2002.

BLANCA S. BAYÓ, Director  
Division of the Commission Clerk  
and Administrative Services

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records and Hearing  
Services

( S E A L )

JSB

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.