

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate
increase by Tampa Electric
Company d/b/a Peoples Gas
System.

DOCKET NO. 020384-GU
ORDER NO. PSC-02-1423-PCO-GU
ISSUED: October 17, 2002

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

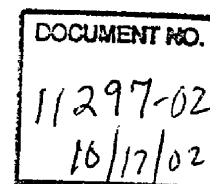
By Petition, dated October 8, 2002, the Auburndale Power Partners, L.P. (Auburndale) requested permission to intervene in this proceeding. There has been no response to Auburndale's petition. Auburndale owns and operates the Auburndale Power Plant, a 150 MW natural gas and oil-fired qualifying cogeneration facility located in Polk County, Florida. Auburndale states that it is a large industrial customer that receives interruptible gas transportation service from Peoples Gas, and the delivered cost of natural gas is a significant portion of the plant's overall cost of production. As a result, Auburndale requires adequate, reasonably priced natural gas in order to compete in its respective markets. Consequently, Auburndale alleges that its substantial interests will be directly affected by the actions taken in this proceeding.

Having reviewed the Petition, it appears that Auburndale's substantial interests may be affected by this proceeding. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, Auburndale takes the case as it finds it.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition to Intervene filed by the Auburndale Power Partners, L.P. is hereby 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:



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By ORDER of the Florida Public Service Commission this 17th
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)
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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 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.