

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for approval of numeric
conservation goals by Progress Energy Florida,
Inc.

DOCKET NO. 040031-EG
ORDER NO. PSC-04-0466-PCO-EG
ISSUED: May 5, 2004

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By petition, dated April 22, 2004, the Florida Industrial Power Users Group (FIPUG) has requested permission to intervene in this proceeding. The Florida Industrial Power Users Group states that the decision that the Commission makes in this docket will determine the conservation goals and programs for Progress Energy Florida, Inc. for the next ten years, and that the costs of such programs are passed through to ratepayers every year through the conservation cost recovery clause. Since FIPUG members may bear a portion of such costs, FIPUG claims that its substantial interests are affected.

Having reviewed the Petition, it appears that the Florida Industrial Power Users Group's substantial interests may be affected by this proceeding. There has been no response filed in opposition to this request. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, The Florida Industrial Power Users Group 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 Florida Industrial Power Users Group 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:

John W. McWhirter
McWhirter, Reeves, McGlothlin, Davidson,
Kaufman, & Arnold, P. A.
400 North Tampa Street, Suite 2450
Tampa, FL 33602

Vicki Gordon Kaufman
McWhirter, Reeves, McGlothlin, Davidson,
Kaufman, & Arnold, P. A.
117 South Gadsden Street
Tallahassee, FL 32301

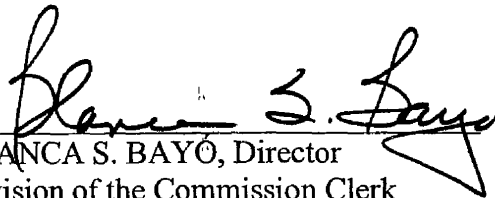
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FPSC-COMMISSION CLERK

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By ORDER of the Florida Public Service Commission this 5th day of May, 2004.


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

(SEAL)

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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; or (2) 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.