

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for approval of cost recovery for new environmental program necessitated by U.S. Environmental Protection Agency's adoption of rules establishing new requirements for cooling water intake structures at existing electric power generating facilities under Section 316(b) of Clean Water Act, by Progress Energy Florida, Inc.

DOCKET NO. 040472-EI
ORDER NO. PSC-04-0707-PCO-EI
ISSUED: July 20, 2004

ORDER ACKNOWLEDGING INTERVENTION

BY THE COMMISSION:

On June 25, 2004, the Office of Public Counsel filed its Notice of Intervention in this proceeding, pursuant to Section 350.0611, Florida Statutes.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Intervention of the Citizens of the State of Florida, by and through the Public Counsel, is hereby acknowledged. 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 docket, to Harold A. McLean, Public Counsel, by and through Robert Vandiver, Associate Public Counsel, Office of the Public Counsel, c/o The Florida Legislature, 111 West Madison Street, Room 812, Tallahassee, Florida 32399-1400.

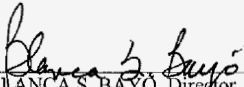
DOCUMENT NUMBER - DATE

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FPSC-COMMISSION CLERK

By ORDER of the Florida Public Service Commission this 20th day of July, 2004.

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

(S E A L)

MKS

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.