

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for determination of need for expansion of Crystal River 3 nuclear power plant, for exemption from Bid Rule 25-22.082, F.A.C., and for cost recovery through fuel clause, by Progress Energy Florida, Inc.

DOCKET NO. 060642-EI
ORDER NO. PSC-06-1044-PCO-EI
ISSUED: December 19, 2006

ORDER GRANTING INTERVENTION

By petition dated November 20, 2006, the Florida Industrial Power Users Group (FIPUG) requested permission to intervene in this proceeding. In its Petition, FIPUG states that it is an ad hoc association consisting of industrial users of electricity in Progress Energy Florida, Inc.'s (PEF) service territory. FIPUG alleges that the decisions the Commission will make in this docket will impact the cost of electricity to FIPUG and other retail customers. FIPUG states that its participants are PEF retail customers, and accordingly, their substantial interests are subject to determination in and will be affected by the Commission's decision whether to grant PEF an exemption from Rule 25-22.082, Florida Administrative Code, and also with the Commission's consideration of whether to allow PEF to recover base rate expenses through the fuel cost recovery clause.

Having reviewed the Petition, it appears that FIPUG's substantial interests may be affected by this proceeding. There has been no response filed in opposition to this request, and the time for doing so has expired. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, FIPUG takes the case as it finds it.

Therefore, it is

ORDERED by Blanca S. Bayó, Director, Division of the Commission Clerk and Administrative Services, 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, Jr.
McWhirter, Reeves, & Davidson, P.A.
400 North Tampa Street, Suite 2450
Tampa, Florida 33602
Telephone: (813) 224-0866
Fax: (813) 221-1854
E-mail: jmcwhirter@mac-law.com

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of the Florida Public Service Commission this 19th day of December, 2006.



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

(SEAL)

LAH

LAHNOTICE 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.