

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, F.A.C., submitted by Tampa Electric Company.

DOCKET NO. 070297-EI

In re: Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, F.A.C., submitted by Progress Energy Florida, Inc.

DOCKET NO. 070298-EI

In re: Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, F.A.C., submitted by Gulf Power Company.

DOCKET NO. 070299-EI

In re: Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, F.A.C., submitted by Florida Power & Light Company.

DOCKET NO. 070301-EI  
ORDER NO. PSC-07-0619-PCO-EI  
ISSUED: July 31, 2007

ORDER GRANTING PETITION FOR INTERVENTION  
TO THE TOWN OF PALM BEACH, FLORIDA IN DOCKET NO. 070301-EI

BY THE COMMISSION:

Rule 25-6.0342, Florida Administrative Code, requires each investor-owned electric utility (IOU) to file a comprehensive storm hardening plan for review and approval by the Commission. On May 7, 2007, Florida Power & Light (FPL), Gulf Power Company (Gulf), Progress Energy Florida, Inc. (PEF), and Tampa Electric Company (TECO) each filed its 2007 Electric Infrastructure Storm Hardening Plan (Storm Hardening Plan). Docket Nos. 070297-EI (TECO), 070298-EI (PEF), 070299-EI (Gulf), and 070301-EI (FPL) were opened to address each filing. On June 19, 2007, the Commission voted to set the dockets directly for a formal administrative hearing, with the additional mandate for Commission staff to conduct a series of informal workshops to allow the parties and staff to identify disputed issues and potential areas for stipulation. By Order No. PSC-07-0573-PCO-EI, issued July 10, 2007, these dockets were consolidated and set for formal administrative hearing.

By petition dated May 29, 2007, the Town of Palm Beach, Florida (Palm Beach) has requested permission to intervene in Docket No. 070301-EI. In support of its Petition, Palm Beach states that it is a substantial customer of FPL, and that Palm Beach has ongoing interests in converting certain existing overhead electric distribution lines in Palm Beach to underground service.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

Having reviewed the Petition, it appears that Palm Beach's substantial interests may be affected by this proceeding as it relates to FPL's Storm Hardening Plan. 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, Palm Beach 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 Town of Palm Beach, Florida, is hereby granted in Docket No. 070301-EI. 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:

Robert Scheffel Wright, Attorney at Law  
John T. LaVia, III, Attorney at Law  
Young van Assenderp, P.A.  
225 South Adams Street, Suite 200  
Tallahassee, Florida 32301  
(850) 222-7206 Telephone  
(850) 561-6834 Facsimile  
E-Mails – [swright@yvlaw.net](mailto:swright@yvlaw.net) and  
[jlavia@yvlaw.net](mailto:jlavia@yvlaw.net)

Courtesy copy to

Thomas G. Bradford, Deputy Town Manager  
Town of Palm Beach, Florida  
360 South County Road  
Palm Beach, Florida 33480  
(561) 838-5410 Telephone  
(561) 838-5411 Facsimile  
E-Mail – [Tbradford@townofpalmbeach.com](mailto:Tbradford@townofpalmbeach.com)

By ORDER of the Florida Public Service Commission this 31st day of July, 2007.



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ANN COLE  
Commission Clerk

(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 Office of Commission Clerk, 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.