

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-07-0623-PCO-EI
ISSUED: July 31, 2007

ORDER GRANTING PETITION FOR INTERVENTION
TO TCG SOUTH FLORIDA, INC., IN DOCKET NO. 070297-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 30, 2007, TCG South Florida, Inc., (TCG) filed a joint Petition with BellSouth Telecommunications, Inc., d/b/a AT&T Florida (AT&T Florida) requesting permission to intervene in Docket No. 070297-EI.¹ In support of its Petition, TCG states that it is a Competitive Local Exchange Company (CLEC) and an Interexchange Company (IXC)

¹ AT&T Florida's Petition for Intervention in Docket No. 070297-EI will be addressed by separate order.

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COMMISSION CLERK

whose regulated operations are subject to the jurisdiction of this Commission pursuant to Chapter 364, Florida Statutes. TCG alleges that it has standing to intervene in this proceeding because any decision made by this Commission in the context of TECO's Storm Hardening Plan will necessarily affect the substantial interests of TCG and its business operations in the State of Florida because it is a third-party attacher to TECO's facilities.

Having reviewed the Petition, it appears that TCG's substantial interests may be affected by these proceedings as it relates to TECO'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, TCG takes the case as it finds it.

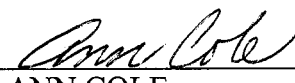
Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition to Intervene filed by TCG South Florida, Inc., is hereby granted in Docket No. 070297-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:

James Meza III, Esquire
Jennifer S. Kay, Esquire,
c/o Nancy H. Sims, Esquire
150 South Monroe Street, Ste. 400
Tallahassee, FL 32301
E-mail – james.meza@att.com
E-mail – nancy.sims@att.com
305.347.5558 (telephone)
850.22.8640 (fax)

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



ANN COLE
Commission Clerk

(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; 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.