

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-07-0637-PCO-EI

ISSUED: August 6, 2007

ORDER GRANTING PETITION FOR INTERVENTION  
TO EMBARQ CORPORATION IN DOCKET NOS. 070297-EI, 070298-EI, 070299-EI, AND  
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 petitions dated June 26, 2007, Embarq Corporation (Embarq) requested permission to intervene in Docket Nos. 070297-EI, 070298-EI, 070299-EI, and 070301-EI. In support of its Petitions, Embarq states that it is a Local Exchange Telecommunications Company certificated by this Commission under Chapter 364, Florida Statutes. Embarq alleges that it has entered into

DOCUMENT NUMBER-DATE

06736 AUG-6 5

FPSC-COMMISSION CLERK

joint use/pole attachment agreements with all of the above captioned utilities. As an attacher to the electric utilities' pole, the implementation of the electric utilities' storm hardening plans will impact Embarq both financially and operationally. Thus, any decision made by this Commission in the context of TECO, PEF, FPL, and Gulf's Storm Hardening Plans will necessarily affect the substantial interests of Embarq and its business operations in the State of Florida.

Having reviewed the Petitions, it appears that Embarq's substantial interests may be affected by these proceedings as it relates to TECO, FPL, PEF, and Gulf's Storm Hardening Plans. There has been no response filed in opposition to these requests. Therefore, the Petitions shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, Embarq takes the cases as it finds them.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petitions to Intervene filed by Embarq Corporation are hereby granted in Docket Nos. 070297-EI, 070298-EI, 070299-EI, and 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:

Susan S. Masterton, Esquire  
1313 Blair Stone Road  
Tallahassee, FL 32301  
E-mail – [susan.masterton@embarq.com](mailto:susan.masterton@embarq.com)  
(850)5991560 (telephone)  
(850)878-0777 (fax)

By ORDER of the Florida Public Service Commission this 6th day of August, 2007.



---

ANN COLE  
Commission Clerk

( S E A L )

KY

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.