

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Declaratory Statement by  
Mediterranean Manors, Inc., regarding  
applicability of Progress Energy tariff  
provisions.

DOCKET NO. 110085-EI  
ORDER NO. PSC-11-0242-PCO-EI  
ISSUED: June 1, 2011

ORDER GRANTING INTERVENTION

By petition, dated May 19, 2011, Progress Energy Florida, Inc. (Progress) has requested permission to intervene in this proceeding. Progress states that it is the electric utility primarily affected by Mediterranean Manor's petition for declaratory statement. Progress further states that its substantial interests will be affected by this proceeding because Mediterranean Manor is requesting the Commission to make a statement regarding Progress' responsibility under its tariff for the costs Mediterranean Manor paid to replace a damaged underground cable based on disputed facts. Progress alleges that it has a substantial interest in the interpretation and applicability of its tariff, especially based on disputed facts.

Having reviewed the Petition, it appears that Progress Energy Florida, Inc.'s substantial interests may be affected by this proceeding. 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, Progress takes the case as it finds it.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition to Intervene filed by Progress Energy Florida, Inc., 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:

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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of the Florida Public Service Commission this 1st day of June, 2011.



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ANN COLE  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770  
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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 25-22.0376, 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.