

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to determine need for
modernization of Port Everglades Plant, by
Florida Power & Light Company.

DOCKET NO. 110309-EI
ORDER NO. PSC-12-0070-PCO-EI
ISSUED: February 16, 2012

ORDER GRANTING INTERVENTION
AND DENYING MOTION FOR LEAVE TO FILE RESPONSE

BY THE COMMISSION:

By petition, dated February 14, 2012, (Petition) Florida Industrial Power Users Group (FIPUG) has requested permission to intervene in this proceeding. On February 15, 2012, Florida Power & Light Company (FPL) filed its Opposition to FIPUG's Petition (Opposition). On February 16, 2012, FIPUG filed a Motion for Leave to File Response to FPL's Opposition (Motion).

Having reviewed the Petition and Opposition, I shall grant FIPUG's Petition and deny FIPUG's Motion as moot. Pursuant to Rule 25-22.039, Florida Administrative Code, FIPUG takes the case as it finds it as set forth in Order No. PSC-12-0063-PHO-EI, issued on February 13, 2012.

Therefore, it is

ORDERED by Commissioner Eduardo E. Balbis, as Prehearing Officer, that the Petition to Intervene filed by Florida Industrial Power Users Group is hereby granted. It is further

ORDERED that the Motion for Leave to File Response filed by Florida Industrial Users Group is hereby denied. 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:

Jon C. Moyle, Jr.
Vicki Gordon Kaufman
Keefe, Anchors, Gordon & Moyle, P.A.
118 North Gadsden Street
Tallahassee, Florida 32301

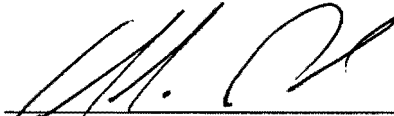
FILED

DOCUMENT NUMBER-DATE

00901 FEB 16 2012

FPSC-COMMISSION CLERK

By ORDER of Commissioner Eduardo E. Balbis, as Prehearing Officer, this 16th day of February, 2012.



EDUARDO E. BALBIS

Commissioner and Prehearing Officer
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

CWM

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.