

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental cost recovery clause.

DOCKET NO. 130007-EI  
ORDER NO. PSC-13-0432-PCO-EI  
ISSUED: September 23, 2013

ORDER GRANTING INTERVENTION

On September 13, 2013, pursuant to Chapters 120 and 366, Florida Statutes, and Rules 25-22.039, 28-106.201, and 28-106.205, Florida Administrative Code (F.A.C.), DeSoto County Generating Company, LLC (DeSoto) filed its Petition to Intervene in this docket. (Petition). DeSoto asserts: that it is a customer of Florida Power & Light Company (FPL) and an owner and operator of a natural gas fired electrical power plant located in Arcadia, Florida; that its substantial interests in having fair, just, and reasonable rates will be affected by the Commission's decision in this case; and, that its Petition is timely filed. DeSoto also provides a statement of interests, identifies issues of material fact, and provides a statement of ultimate facts.

On September 19, 2013, pursuant to Rule 25-106.204, F.A.C., FPL filed its Response to DeSoto's Petition in which FPL states that it does not object to DeSoto's intervention and participation in the docket as a retail customer. No other party responded to DeSoto's Petition.

Upon review, I shall grant DeSoto's unopposed Petition.

Based on the foregoing, it is

ORDERED by Commissioner Eduardo E. Balbis, as Prehearing Officer, that DeSoto County Generating Company, LLC's Petition to Intervene in Docket No. 130007-EI is hereby granted. It is further,

ORDERED that DeSoto takes the case as it finds it. It is further,

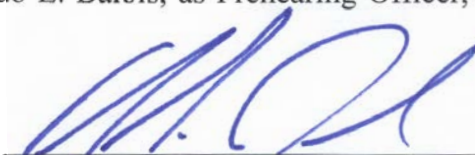
ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents which hereinafter may be filed in this proceeding to:

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and

Counsel  
[DMarshall@LSPower.com](mailto:DMarshall@LSPower.com)  
c/o DeSoto County Generating Company, LLC  
1700 Broadway, 35th Floor  
New York, New York 10019  
Telephone (212) 547-3456  
Facsimile (212) 615-3440.

By ORDER of Commissioner Eduardo E. Balbis, as Prehearing Officer, this 23rd day  
of September, 2013.



EDUARDO E. BALBIS  
Commissioner and Prehearing Officer  
Florida Public Service Commission  
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Tallahassee, Florida 32399  
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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.