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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Inclusion of Scherer Unit No. 4 Purchase in Rate Base, Including an Acquisition Adjustment, by Florida Power & Light Company.

Docket No. 900796-EI

**ORIGINAL
FILE COPY**

FLORIDA MUNICIPAL POWER AGENCY'S
PETITION FOR LEAVE TO INTERVENE

The FLORIDA MUNICIPAL POWER AGENCY ("FMPA"), by and through its undersigned attorneys, and pursuant to Rule 25-22.039, F.A.C., and Sections 366.076(1), 366.05(8) and 366.055, Florida Statutes, hereby files this Petition for Leave to Intervene (the "Petition to Intervene") in the above-captioned proceedings. In support of this Petition to Intervene, FMPA states as follows:

1. FMPA is a generation and transmission utility supplying electric capacity and energy to certain of its members in Florida

ACK Power & Light Company's ("FPL") service area through its own
AFA generation resources and through the purchase of power and
APP transmission services from other utilities, including FPL.
CAF

CMU 2. The mailing address of FMPA is as follows:
CTR

Florida Municipal Power Agency
7201 Lake Ellenor Drive
Orlando, Florida 32809

LEG 10/10
LIN 6 3. The persons to whom all notices, communications and other
CPC documents in connection with this matter are to be sent are:
RCH

SEC 1 Frederick M. Bryant
WAS Moore, Williams, Bryant,
OTH 8/20/88 Peebles & Gautier, P.A.
Post Office Box 1169
Tallahassee, Florida 32302

Robert C. Williams
Director of Engineering
7201 Lake Ellenor Drive
Orlando, Florida 32809

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FPSC-RECORDS/REPORTING

FPSC-BUREAU OF RECORDS

4. FMPA desires to intervene and become a party participant in the above-captioned proceeding and as grounds therefor states that as a wholesale power and transmission customer of FPL, the petitioner in the above-styled docket, FMPA is entitled to participate by law, and its substantial interests are subject to determination or will be affected through this proceeding. Particularly, the effect that this proceeding will have on FPL's ability to supply FMPA with its wholesale power and transmission needs.

5. FMPA is a wholesale power and transmission customer of FPL and as such is dependent upon FPL having an adequate source of generation and transmission facilities in order for FPL to meet its contractual obligations to FMPA. Without an adequate source of wholesale power and transmission facilities, FMPA and the municipalities that FMPA supplies will experience serious economic consequences as well as public health and safety problems.

6. FPL states in paragraph 2 of its Petition that "absent the installation or acquisition of sufficient additional generating capacity, FPL will not be able to continue to meet its 1996 forecast peak load and maintain adequate levels of reliability." As a wholesale customer of FPL, FMPA is or will be substantially affected by any supply interruptions, any significant fuel price increases, and/or reliability problems experienced by FPL.

7. During the infamous Christmas freeze of 1989, FMPA's wholesale purchases from FPL were substantially curtailed by FPL

Docket No.: 900796-EI
October 12, 1990
Page 3

due to significant (and unprecedented) capacity shortages experienced by FPL. As a result, FMPA is or will be substantially affected by these proceedings. FPL has determined that this facility is needed to serve its load (customers) which load (customers) includes FMPA.

8. FPL has stated in paragraph 5 of the Petition that:


In addition, Southern Companies has agreed to use its best efforts to negotiate agreements with peninsular Florida Utilities for the construction of additional transmission facilities so as to provide an additional 500mw of Southern/Florida interface capability to FPL. FPL's purchase of any ownership interest in Scherer is contingent upon obtaining definitive agreements for all aspects of transmission capability necessary to transmit FPL's share of the unit output to FPL's service area.

FMPA as a wholesale power and transmission customer of FPL and as a peninsular Florida utility has a substantial interest in these proceedings and the attendant transactions.

9. FMPA is unaware at this time of any disputed issues of material fact.

WHEREFORE, FMPA requests oral argument on its Amended Petition for Leave to Intervene and that it be granted leave to intervene in this proceeding.

RESPECTFULLY SUBMITTED this 12th day of October 1990.


Frederick M. Bryant, Esquire
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& Gautier, P.A.
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Docket No.: 900796-EI
October 12, 1990
Page 4

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and 15 copies of FLORIDA MUNICIPAL POWER AGENCY'S PETITION FOR LEAVE TO INTERVENE have been filed with Mr. Steve Tribble, Director, Records and Reporting, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32301 with a copy hand delivered to Robert Christ, Staff Attorney, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32301, and Matthew M. Childs, 215 South Monroe Street, Suite 601, Tallahassee, Florida 32301, this 12th day of October 1990.


FREDERICK M. BRYANT