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March 4, 1997

HAND-DELIVERED

Blanca S. Bayo, Director
Division of Records and Reporting
Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0870

Re: Docket No. 970261-EI

Dear Ms. Bayo:

Enclosed for filing and distribution are the original and fifteen copies of FIPUG's Petition to Intervene in the above docket.

Please acknowledge receipt of the above on the extra copy enclosed herein and return it to me. Thank you for your assistance.

Sincerely,

Vicki Gordon Kaufman
Vicki Gordon Kaufman

ACK _____
AFA 1
APP _____
CAF _____ VGK/pw
CMU _____ Encls.
CTR _____
EAG 1
LEG 1
LIN 5
OPC _____
RCH _____
SEC 1
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DOCUMENT NUMBER-DATE

02316 MAR-4 97

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Review of nuclear outage)
at Florida Power Corporation's)
Crystal River Unit No. 3.)
_____)

Docket No. 970261-EI

Filed: March 4, 1997

**THE FLORIDA INDUSTRIAL POWER USERS GROUP'S
PETITION TO INTERVENE**

Pursuant to rule 25-22.039, Florida Administrative Code, the Florida Industrial Power Users Group (FIPUG), through its undersigned counsel, files this petition to intervene in this docket. As grounds therefor, FIPUG states:

1. All notices, orders and correspondence should be sent to the following on behalf of FIPUG:

John W. McWhirter, Jr.
McWhirter, Reeves, McGlothlin,
Davidson, Rief & Bakas, P.A.
Post Office Box 3350
Tampa, Florida 33601

Joseph A. McGlothlin
Vicki Gordon Kaufman
McWhirter, Reeves, McGlothlin,
Davidson, Rief & Bakas, P.A.
117 South Gadsden Street
Tallahassee, Florida 32301

2. In this docket, the Commission will investigate the outage at the Crystal River 3 nuclear generating unit. This unit has been off-line for a number of months. In the most recent fuel adjustment proceeding, the Commission tentatively permitted FPC to collect approximately \$90 million in replacement fuel costs subject to the Commission's review of the outage in this investigatory docket.

3. FIPUG is an ad hoc group of industrial users of electricity. FIPUG members use millions of kilowatt hours of electricity per year. This expense comprises one of members' largest variable expenditures.

4. The outage at Crystal River Unit No. 3 involves a plant which has been

rate based and for which ratepayers continue to pay even though the plant is not running. Further, FPC proposes that the cost of replacement fuel during the extended outages of the plant be borne by ratepayers. Serious questions remain unanswered regarding the cause of this extended outage and where the responsibility for replacement fuel costs belongs.

5. As consumers of large amounts of electricity, FIPUG has a substantial interest in this investigation and in ascertaining the reasons for the extended shutdown and corresponding increase in the fuel adjustment factor.

6. FIPUG's interests will be substantially affected by the investigation in this docket.

WHEREFORE, FIPUG requests that the Commission grant FIPUG's petition to intervene and accord it full party status in this docket.

Willie Hanson Kaufman
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Attorneys for the Florida
Industrial Power Users Group

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing FIPUG Petition to Intervene has been furnished by *hand delivery or U.S. Mail to the following this 4th day of March, 1997:

*Bob Elias
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Room 370N
Tallahassee, Florida 32399-0850

James A. McGee
Florida Power Corporation
Post Office Box 14042
St. Petersburg, Florida 33733-4042

John Roger Howe
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399-1400


Vicki Gordon Kaufman