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ORIGINAL

October 30, 1997

**BY HAND DELIVERY**

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Petition of IMC-Agrico Company for a Declaratory Statement Confirming Non-Jurisdictional Nature of Planned Self-Generation; Docket No. 971313-EU

Dear Ms. Bayo:

Enclosed for filing in the above docket on behalf of Tampa Electric Company are the original and fifteen (15) copies of each of the following:

1. Tampa Electric Company's Petition for Leave to Intervene and Request for Hearing; - 11206-97
2. Tampa Electric Company's Answer and Request for Hearing; and - 11207-97
3. Tampa Electric Company's Request for an Opportunity to Address the Commission. - 11208-97

ACK \_\_\_\_\_ Please acknowledge receipt and filing of the above by stamping  
AFA \_\_\_\_\_ the duplicate copy of this letter and returning the same to this  
APP Bellet writer.

CAF \_\_\_\_\_ Thank you for your assistance in this matter.

CMU \_\_\_\_\_

CTR \_\_\_\_\_

EA: \_\_\_\_\_

LEC \_\_\_\_\_

I \_\_\_\_\_

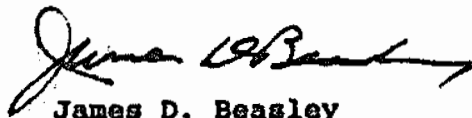
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Sincerely,

  
James D. Beasley

JDB/bjm  
Enclosures  
cc: All Parties of Record (w/encls.)

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Pet to [unclear]

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of IMC-Agrico Company )  
for a Declaratory Statement Confirming )  
Non-Jurisdictional Nature of Planned )  
Self-Generation. )

DOCKET NO. 971313-EU  
FILED: October 30, 1997

TAMPA ELECTRIC COMPANY'S REQUEST  
FOR AN OPPORTUNITY TO ADDRESS THE COMMISSION

Tampa Electric Company ("Tampa Electric" or "the company") hereby requests an opportunity to address the Commission for the purpose of explaining its positions and answering the Commission's questions with regard to the company's Petition for Leave to Intervene in this proceeding and the company's Answer to IMCA's Petition for Declaratory Statement and in support thereof says:

1. Tampa Electric is submitting herewith a Petition for Leave to Intervene in the above docket along with an Answer to the Petition for Declaratory Statement filed on behalf of IMC-Agrico Company ("IMCA").

2. IMCA's petition in this docket raises important issues, the disposition of which may have significant impact on Tampa Electric's ability to carry out its statutory duty to provide its retail electric customers with reliable and reasonably priced electric service.

3. As a regulated public utility, Tampa Electric has an interest in ensuring that its retail territorial rights are protected and its obligation to serve within its retail service area is not adversely affected. The company asserts that its participation in the Commission's discussion of the issues involved

DOCUMENT NUMBER-DATE

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in this proceeding will assist the Commission in comprehending and evaluating the issues raised therein.

4. Serious deficiencies in the positions urged by IMCA in this proceeding are detailed in Tampa Electric's Answer. Tampa Electric desires an opportunity to address the Commission and to respond to questions the Commission may have on these points so that the interests of the company and its general body of customers are adequately represented.

5. This docket is interrelated with Docket No. 971337-EI.<sup>1</sup> In Docket No. 971337-EI Duke Mulberry Energy, L.P. ("Duke Mulberry") and IMCA have filed a Request to Address the Commission in support of their positions and answering the Commission's question with respect to their Petition for Declaratory Statement in that separate proceeding.

6. In their Request to Address the Commission in Docket No. 971313-EI Duke Mulberry and IMCA state that their petition presents a case of first impression that raises significant issues with respect to the statutory basis for, and policy implications of, granting competitive wholesale power producers such as Duke Mulberry, access to the Commission's need determination process pursuant to Section 403.519, Florida Statutes.

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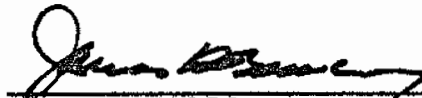
<sup>1</sup>In re: Petition of Duke Mulberry Energy, L.P. and IMC-Agrico Company for a Declaratory Statement Concerning Eligibility to Obtain Determination of Need Pursuant to Section 403.519, Florida Statutes

7. Given the interrelated nature of the issues raised both in this proceeding and in Docket No. 971313-EI, Tampa Electric should be afforded an opportunity to address the Commission in connection with both dockets to assist the Commission in comprehending and evaluating the issues raised in both proceedings.

WHEREFORE, Tampa Electric Company respectfully requests that the Commission grant Tampa Electric an opportunity to address the Commission on the issues raised in this declaratory statement proceeding. To the extent the Commission deems it necessary or appropriate, this request may be considered a request for oral argument pursuant to Fla. Admin. Code Rule 25-22.058.

DATED this 30th day of October, 1997.

Respectfully submitted,



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

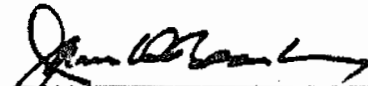
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Request for an Opportunity to Address the Commission, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (\*) on this 30th day of October, 1997 to the following:

Mr. John W. McWhirter, Jr.  
McWhirter, Reeves, McGlothlin,  
Davidson, Rief & Bakas, P.A.  
Post Office Box 3350  
100 North Tampa Street  
Tampa, FL 33602-5126

Mr. Steven F. Davis  
IMC-Agrico Company  
Post Office Box 2000  
3095 County Road 640 West  
Mulberry, FL 33860

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

  
\_\_\_\_\_  
ATTORNEY