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COGENERATION & ALTERNATIVE ENERGY
ENERGY REGULATORY LAW

VIA FEDERAL EXPRESS

December 8, 1997

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FLORIDA PUBLIC
SERVICE COMMISSION
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MAIL ROOM

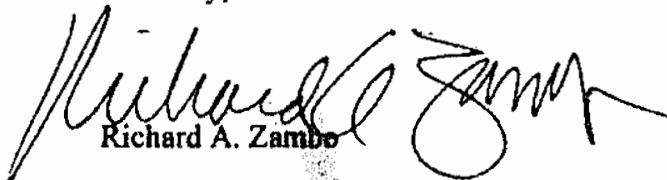
Ms. Blanca S. Bayo, Director
Division of Records & Reporting
Florida Public Service Commission
Capitol Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

In Re: Petition of IMC-Agrico Company for a Declaratory Statement
FPSC Docket No. 971313

Dear Ms. Bayo:

Enclosed for filing in the above Docket please find an original and 7 copies of the Florida Industrial Cogeneration Association's Petition for Leave to Intervene. If you have any questions regarding this filing, please do not hesitate to call.

Sincerely,


Richard A. Zambo

- ACK _____
- AFA _____
- APP Richard
- CAF _____
- CMU _____ RAZ/sn
- CTR 3 Enclosures
- EAG _____
- LEG _____
- LIN _____
- OPC _____
- RCH _____
- SEC 1
- WAS _____
- OTH Chris Don

DOCUMENT NUMBER-DATE
12547 DEC-96
FPSC-RECORDS/REPORTING

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

Submitted for filing:
December 8, 1997

PETITION FOR LEAVE TO INTERVENE

The Florida Industrial Cogeneration Association (FICA) and its members, through their undersigned attorney and pursuant to Rule 25-22.039, F.A.C., hereby petition the Commission for leave to intervene in the captioned proceeding in support of IMC-Agrico, and as grounds therefore state:

1. The exact name of and address of Petitioner are:

Florida Industrial Cogeneration Association
598 S.W. Hidden River Avenue
Palm City, FL 34990

2. The person to whom all pleadings, notices, orders, schedules, recommendations

and other documents to be filed or served in this Docket are to be sent is:

ACK _____
AFA _____
APP _____
CAF _____
CMU _____
CTR _____
EAG _____
LEG _____
LIN _____
OPC _____
RCH _____
SEC _____
WAS _____

Richard A. Zambo
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3. FICA members own and/or operate cogeneration/self generation facilities in

conjunction with various industrial operations at locations throughout the State of Florida.

DOCUMENT NUMBER-DATE

12547 DEC-96

4. In its petition, IMC-Agrico states that it currently purchases electric power from two public utilities. FICA understands that those utilities are FPC and TECO.

5. FICA members, including CF Industries Inc., Cargill Fertilizer, Inc., Mulberry Phosphates, Inc., and U.S. Agri-Chemicals Corporation, sell electric power to and/or purchase electric power from the Tampa Electric Company (TECO) and/or Florida Power Corporation (FPC).

6. The granting of IMC-Agrico's petition would confirm that lease-financing mechanisms traditionally employed by industry for a range of capital equipment continue to be appropriate when applied to electric generating facilities; and, construction of the proposed self-generation facility would increase the generation reserves of FPC, TECO and peninsular Florida. Such results are supported by FICA and its members.

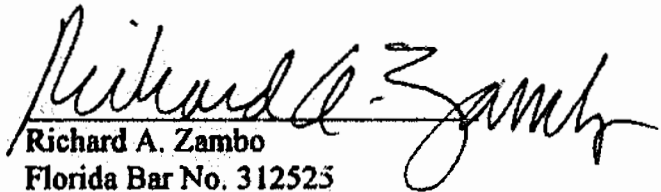
7. The substantial interests of FICA and its members will be clearly affected by the Commission's decision in this proceeding because it will affect the range of capital financing mechanisms available to industry, and will impact upon electric system reliability.

8. FICA recognizes that Commission decisions in recent years have typically denied intervention in declaratory statement proceedings. FICA fully agrees with and supports those decisions as being an appropriate application of the law. However, in light of the number of requests for intervention, for hearing or other means of participation by parties, and the lengthy arguments supporting such requests which have been filed in this proceeding, FICA has filed this petition in the unlikely event that the Commission should grant intervention or provide other means of participation by other parties including FICA.

WHEREFORE, subject to paragraph 8. hereof, FICA respectfully requests entry of an order: (a) granting it leave to intervene as a full party in interest to this proceeding; or alternatively, (b) granting it an opportunity to participate in this proceeding on the same basis as the Commission allows any other person(s) to participate.

Date: December 8, 1997

Respectfully submitted,


Richard A. Zambo
Florida Bar No. 312525

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Phone (561) 220-9163
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Attorney for
Florida Industrial Cogeneration Association

CERTIFICATE OF SERVICE
DOCKET NO. 971313-EU

I HEREBY CERTIFY that a copy of the Florida Industrial Cogeneration Association's
Petition For Leave To Intervene in the referenced proceeding has been furnished by U.S.
Mail to the following parties of record, this 8th day of December, 1997

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Division of Appeals
Florida Public Service Commission
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Tallahassee, Florida 32399

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McWhirter, Reeves, McGlothlin,
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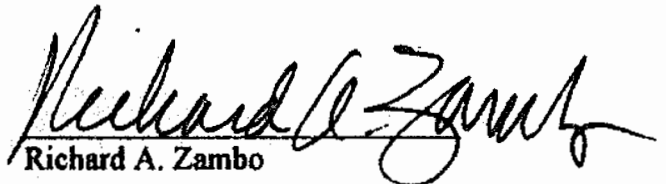
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By:


Richard A. Zambo