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SALEM, SAXON & NIELSEN
ATTORNEYS AT LAW Professional Association

J. FRAZIER CARRAWAY
LISA M. CASTELLANO
ROY J. FORD, JR.
RICARDO L. GILMORE
ASTRID GUARDADO
KEVIN M. KENNY
JOYCE A. NADER
EVIN L. NETZER

RICHARD A. NIELSEN
BOARD CERTIFIED CIVIL TRIAL LAWYER
VALENCIA E. PERCY
MARIAN B. RUSH
RICHARD J. SALEM
BERNICE S. SAXON
SUSAN K. S. SCARCELLI
T. TERRELL SESSUMS
DAVID J. TONG

July 26, 1999

VIA FEDERAL EXPRESS

Blanca S. Bayo, Director
Florida Public Service Commission
Division of Records and Reporting
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

Re: Docket No. 990724-EI; Petition to Intervene By James Hardie Building Products, Inc.

Dear Ms. Bayo:

Enclosed for filing are the original and seven copies of the Petition to Intervene by James Hardie Building Products, Inc.

Please have the extra copy of the Petition date stamped and returned to me in the enclosed, pre-addressed, stamped envelope.

Should you have any questions, please feel free to call.

Sincerely,

SALEM, SAXON & NIELSEN, P.A.

Roy J. Ford, Jr.

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FPSC-BUREAU OF RECORDS

RJF/thg
Enclosure

cc: Bob Elias, Public Service Commission
Lee L. Willis, Esq.
James D. Beasley, Esq.
Angela Llewellyn, TECO
Stuart Long, James Hardie Bldg. Products, Inc.
John Emerson, Plant Manager
Dave Kessner, Manufacturing Mgr.

DOCUMENT NUMBER-DATE

08823 JUL 27 99

FPSC-RECORDS/REPORTING

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Tampa Electric Company for
Clarification of its Interruptible Rate
Schedules IS-1, IST-1, SBT-1, IS-3,
IST-3, and SBT-3.

Docket No. 990724-EI

Filed: July 27, 1999

**PETITION TO INTERVENE BY JAMES
HARDIE BUILDING PRODUCTS, INC.**

JAMES HARDIE BUILDING PRODUCTS, INC. ("Hardie") hereby files its Petition to
Intervene in the above docket. As grounds therefore, Hardie states:

1. The name, address, and telephone number on Hardie is:

James Hardie Building Products, Inc.
c/o Richard J. Salem, Esq.
Salem, Saxon & Nielsen, P.A.
101 East Kennedy Boulevard
Suite 3200
Tampa, Florida 33602
813-224-9000

2. Copies of all orders, notices, pleadings and correspondence should be sent to:

Roy J. Ford, Jr. Esq.
Salem, Saxon & Nielsen, P.A.
100 East Kennedy Boulevard
Suite 3200
Tampa, Florida 33602
813-222-3216

Stuart Long
James Hardie Building Products, Inc.
809 S. Woodrow Wilson Street
Plant City, Florida 33567
813-754-2000

3. In the above-styled docket, Tampa Electric Company ("TECO") seeks
"clarification," of its currently filed and approved interruptible rate schedules.

DOCUMENT NUMBER - DATE

08823 JUL 27 89

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4. In this docket, TECO is seeking to do more than "clarify" the IS tariff. Rather, TECO is seeking to limit, restrict and modify Hardie's right to terminate its status as an interruptible customer, and seeks to alter substantively the conditions upon which a penalty will be imposed by TECO if Hardie is allowed to switch to a firm rate.

5. The cost of electricity is a large variable cost of Hardie's business.


6. Hardie has been an interruptible customer of TECO for more than five (5) years.

7. In this docket, TECO seeks to alter and modify Hardie's substantive property and contract rights pursuant to the IS Tariff. If Hardie is not allowed to intervene, it will be deprived of its property and contract rights without due process of law.

8. Hardie has a substantial interest in this docket and will be substantially affected by any action the Commission takes on TECO's petition.

WHEREFORE, Hardie requests that the Commission grant Hardie's Petition to Intervene and accord it full party status in this docket.

SALEM, SAXON & NIELSEN, P.A.
One Barnett Plaza
101 East Kennedy Boulevard
Suite 3200
Post Office Box 3399
Tampa, FL 33601
Phone: (813) 224-9000
Fax: (813) 221-8811

By: 
RICHARD J. SALEM, ESQ.
Florida Bar #152524
ROY J. FORD JR., ESQ.
Florida Bar #0011843
Attorneys for James Hardie Building
Products, Inc.

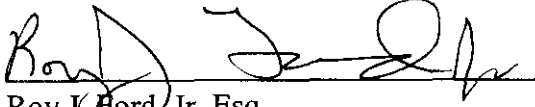
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Petition to Intervene by James Hardie Building Products, Inc., was served by U.S. Mail this 26th day of July, 1999 to the following:

Bob Elias
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

Lee L. Willis
James D. Beasley
Ausley & McMullen
Post Office Box 391
Tallahassee, FL 32302

Angela Llewellyn
Administrator, Regulatory Coordination
Tampa Electric Company
P.O. Box 111
Tampa, FL 33601


Roy J. Ford, Jr. Esq.