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November 22, 2000

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Ms. Blanca Bayó, Director
Division of Records and Reporting
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: FPSC Docket No. 000768-GU

Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Public Utilities Company are an original and fifteen copies of a Petition to Intervene in the above referenced docket.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely,


Norman H. Horton, Jr.

NHH/amb
Enclosure

cc: Mr. Marc Sneidermann
Parties of Record

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FPSC-RECORDS/REPORTING

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ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for rate increase by)
City Gas Company of Florida)
_____)

Docket No. 000768-GU
Filed: November 22, 2000

PETITION TO INTERVENE

COMES NOW, Florida Public Utilities Company ("FPUC"), pursuant to Rule 25-22.039, Florida Administrative Code, and through its undersigned counsel and files this Petition to Intervene and as basis therefore states:

- 1. The name and address of petitioner is:

Florida Public Utilities Company
401 South Dixie Highway
West Palm Beach, FL 33401

- 2. The names and mailing addresses of the persons authorized to receive notices and communications with respect to this petition are:

Norman H. Horton, Jr.
Messer, Caparello & Self, P.A.
P.O. Box 1876
Tallahassee, FL 323-201876
(850)222-0720

Mr. Marc Schneidermann
Florida Public Utilities Company
P.O. Box 3395
West Palm Beach, FL 33402-3395
(561)832-2461

- 3. FPUC is a public utility as that term is defined in section 366.02, Florida Statutes, and provides natural gas to customers in Palm Beach, Seminole and Volusia Counties. Such service is provided pursuant to tariffs approved by this Commission and the rules and regulations of the Commission.

- 4. On August 25, 2000, City Gas Company of Florida, a division of NUI Corp., filed a petition with this Commission seeking an increase of \$7,181,988 in additional annual revenues. City Gas provides natural gas service to customers in Dade, Broward, Brevard and St. Lucie Counties.

DOCUMENT NUMBER-DATE

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5. In its Petition and prefiled testimony, City Gas addresses its plans to increase sales by expanding its system. This expansion program has several phases and includes areas currently served by City Gas and some areas not currently served, including portions of Palm Beach County. In Palm Beach County, the proposed expansion will parallel or duplicate existing facilities of FPUC resulting in a duplication of facilities.

6. Should the Commission approve the request for rate relief or portions thereof, and the proposed changes to the tariff sheets, City Gas will have received approval for expansion of its service area into areas served or capable of being served by FPUC. This would adversely affect FPUC and its customers. Accordingly, FPUC requests that it be permitted to intervene in this proceeding in order to protect its interests.

WHEREFORE, Florida Public Utilities Company requests that the Commission permit the Company to intervene in this docket and that City Gas be required to provide Florida Public Utilities Company with copies of all documents filed in this case to date.

DATED this 22nd day of November, 2000.

Respectfully submitted,

MESSER, CAPARELLO & SELF P. A.
Post Office Box 1876
Tallahassee, FL 32302-1876
(850) 222-0720


NORMAN H. HORTON, JR. ESQ.
FLOYD R. SELF, ESQ.

Attorneys for Florida Public Utilities Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of Florida Public Utilities Company's Petition to Intervene in Docket No. 000768-GU have been served by hand delivery (*) and/or U. S. Mail this 22nd day of November, 2000 upon the following:

Marlene Stern, Esq.*
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd., Room 370
Tallahassee, FL 32399-0850

Richard Melson, Esq.
Hopping Law Firm
P.O. Box 6526
Tallahassee, FL 32314


NORMAN H. HORTON, JR.