

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Review of Florida Power & Light)
Company's proposed merger with Entergy)
Corporation, the formation of a Florida)
transmission company ("Florida transco"),)
and their effect on FPL's retail rates.)
_____)

DOCKET NO. 001148-EI
Filed: May 15, 2001

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RECORDS AND REPORTING

Petition to Intervene

Thomas P. Twomey and Genevieve E. Twomey, pursuant to Rules 25-22.039 and 28-106.205, Florida Administrative Code, hereby file their Petition to Intervene in this docket and in support thereof state:

- 1. The names, address and telephone number of Petitioners are:

Thomas P. Twomey and Genevieve E. Twomey
3984 Grand Meadows Blvd.
Melbourne, Florida 32934
1-321-242-3487

- 2. The name, address and telephone number of Petitioners' representative for purposes of service during the course of the proceeding are:

Michael B. Twomey
Post Office Box 5256
Tallahassee, Florida 32314-5256
850-421-9530

- 3. Petitioners are residential customers of Florida Power & Light Company, taking service at the address listed in paragraph 1. The cost of electricity represents one of the larger variable costs in Petitioners' household budget. Therefore, Petitioners will be substantially affected by any action the Commission takes in this docket, which, among other things, will necessarily include a decision to lower, raise or leave unchanged the utility's retail rates.

- 4. The affected agency is the Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

- 5. In this docket, the Commission will investigate the earnings of FPL, the impact of the failed merger attempt with Entergy and the reasonableness of the utility's retail rates.

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6. Disputed issues of material fact include, but are not limited to, the following:
 - a. The effect of the failed merger of FPL's earnings and costs.
 - b. The effect of the failed merger on FPL's market power.
 - c. The necessity, reasonableness, and prudence of the proposed RTO GridFlorida and the costs proposed to be charge to retail customers.
 - d. The reasonableness of FPL's achieved return on equity.

7. Ultimate facts include, but are not limited to, the following:
 - a. The appropriate level of retail rates to be charged by FPL.

WHEREFORE, Thomas P. Twomey and Genevieve E. Twomey request that the Florida Public Service Commission grant their Petition to Intervene and accord them full party status in this docket.

/s/ Michael B. Twomey _____

Michael B. Twomey
Post Office Box 5256
Tallahassee, Florida 32314-5256
Ph. (850-421-9530
Fax. (850) 421-8543

Attorney for Petitioners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this Petition to Intervene has been furnished to the following this 15th day of May, 2001, either by hand delivery or U.S. Mail:

Robert V. Elias, Esquire
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

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117 S. Gadsden Street
Tallahassee, Florida 32301

/s/ Michael B. Twomey
Michael B. Twomey