

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Florida Power Corporation's earnings, including effects of proposed acquisition of Florida Power Corporation by Carolina Power & Light.

DOCKET NO. 000824-EI
ORDER NO. PSC-01-1679-PCO-EI
ISSUED: August 17, 2001

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By petition filed May 15, 2001, Buddy L. Hansen individually, and the Sugarmill Woods Civic Association, Inc. (Sugarmill Woods), have requested permission to intervene in this proceeding.

Buddy L. Hansen states that he is a residential customer of Florida Power Corporation. He further states that the cost of electricity is one of the larger variable costs in his household budget. He asserts therefore, that his substantial interests will be affected by the Commission's action in this docket which will necessarily include a decision to lower, raise, or leave unchanged the utility's retail rates.

Petitioner Sugarmill Woods states that it is a non-profit association representing the interests of homeowners in the Sugarmill Woods community in Citrus County, Florida. The association and the majority of the association's members receive their electric service from Florida Power Corporation. Sugarmill Woods asserts therefore, that its substantial interests and the substantial interests of a majority of its members will be affected by the Commission's action in this docket, which will necessarily include a decision to lower, raise, or leave unchanged the utility's retail rates.

Having reviewed the Petition, it appears that Buddy L. Hansen's and Sugarmill Woods' substantial interests may be affected by this proceeding. There has been no response filed in opposition to this request. Therefore, the Petition shall be granted.

DOCUMENT NUMBER - DATE

10141 AUG 17 01

FPSC-COMMISSION CLERK

ORDER NO. PSC-01-1679-PCO-EI
DOCKET NO. 000824-EI
PAGE 2

Pursuant to Rule 25-22.039, Florida Administrative Code, the petitioners take the case as they find it.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition to Intervene filed by Buddy L. Hansen, individually, and the Sugarmill Woods Civic Association, Inc., is hereby granted. It is further

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in this proceeding, to:

Michael B. Twomey, Esquire, Post Office Box 5256, Tallahassee, Florida, 32314-5256.

By ORDER of the Florida Public Service Commission, this 17th day of August, 2001.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk and
Administrative Services

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records and Hearing
Services

(S E A L)

MKS

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the Commission Clerk and Administrative Services, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.