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May 6, 2002

VIA HAND DELIVERY

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
4075 Esplanade Way, Room 110
Tallahassee, FL 32399-0850

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COMMISSION
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In re: Docket No. 020175-EI

Dear Ms. Bayo:

On Friday, May 3, 2002, our office filed a Petition to Intervene on behalf of Calpine Energy Services, L.P., in the above-referenced docket. It has come to our attention that page 11 was inadvertently left out due to copying. I have enclosed the original and 15 copies of page 11 to be inserted into the petition. I have also forwarded copies to parties of record and interested persons. I apologize for any inconvenience this may have caused.

If you have any questions, please do not hesitate to call me. Thank you for your assistance.

Sincerely,

Robert Scheffel Wright / sp
Robert Scheffel Wright

cc: Parties of Record and
Interested Persons (Via Fax)

AUS _____
CAF _____
CMP _____
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unit, and without having provided any description whatsoever of the Manatee 3 unit, in its RFP.

- d. FPL violated the Commission's Bid Rule by filing a petition for determination of need for its proposed Martin 8 unit without having identified the Martin 8 unit, and without having provided the "detailed technical description" of that unit, as required by the Commission's Bid Rule, in its RFP.
- e. Based on a proper, impartial, and unbiased evaluation of proposals to a properly designed and specified RFP, power sales proposals by Calpine and other RFPs will provide better alternatives for FPL's customers than either FPL's proposed Martin 8 unit or FPL's proposed Manatee 3 unit.

Calpine has identified numerous specific issues, which may be relevant in this case, in its Petition to Intervene in the pending need determination dockets.

RELIEF REQUESTED

17. Calpine's allegations above are sufficient to establish Calpine's right to intervene in this proceeding pursuant to Commission Rule 25-22.039, F.A.C., Rule 28-106.201, F.A.C., Rule 28-106.205, F.A.C., and Chapter 120, Florida Statutes. Calpine's substantial interests are affected and will be determined in this proceeding. Standing to participate in administrative proceedings requires a demonstration that the intervenor meets the two-pronged test first announced in Agrico Chemical Co. v. Department of Environmental Regulation, 406 So. 2d 478 (Fla. 2d DCA 1981), rev. denied, 415 So. 2d 1359 (Fla. 1982). That two-pronged test requires allegations that the intervenor will suffer injury in fact which is of sufficient immediacy to entitle him to a section 120.57 hearing and that his substantial injury is of a

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