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August 15, 2002

VIA HAND DELIVERY

Blanca S. Bayo, Director
Division of Records and Reporting
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Tallahassee, Florida 32399-0870

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COMMISSION
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Re: Docket No.: 020384-GU

Dear Ms. Bayo:

On behalf of the Florida Industrial Gas Users (FIGU), enclosed for filing and distribution are the original and 15 copies of the following:

- ▶ The Florida Industrial Gas Users' Petition to Intervene.

Please acknowledge receipt of the above on the extra copy of each and return the stamped copy to me. Thank you for your assistance.

Sincerely,

Vicki Gordon Kaufman

Vicki Gordon Kaufman

VGK/bae
Enclosure

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McWHIRTER, REEVES, MCGLOTHLIN, DAVIDSON, DECKER, KAUFMAN & ARNOLD, P.A.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a rate increase by
Tampa Electric Company d/b/a Peoples
Gas System

Docket No. 020384-GU

Filed: August 15, 2002

THE FLORIDA INDUSTRIAL GAS USERS'
PETITION TO INTERVENE

Pursuant to Chapter 120, Florida Statutes, Section 366.06, Florida Statutes, and Rules 25-22.039, 28-106.205, Florida Administrative Code, the Florida Industrial Gas Users (FIGU), through its undersigned counsel, submits its Petition to Intervene, and in support thereof states:

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

2. The name and address of the Petitioner is:

Florida Industrial Gas Users
c/o McWhirter Reeves, McGlothlin, Davidson, Decker,
Kaufman, & Arnold, P.A.
400 North Tampa Street, Suite 3350
Tampa, Florida 33602
Telephone: (813) 224-0866
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3. Copies of all pleadings, notices, and orders in this Docket should be provided to:

John W. McWhirter
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4. FIGU is an ad hoc association consisting of industrial users of natural gas in Florida. The cost of gas constitutes a significant portion of FIGU members' overall costs of production. FIGU members require adequate, reasonably priced natural gas in order to compete in their respective markets.

5. Statement of Affected Interests. On June 27, 2002 Tampa Electric Company d/b/a Peoples Gas System (Peoples) filed a petition to increase its rates, seeking an increase in rates of over \$22 million, as well as making changes in its current rate design. The decision that the Commission makes in this docket in regard to these and other issues will affect the substantial interests of FIGU members.

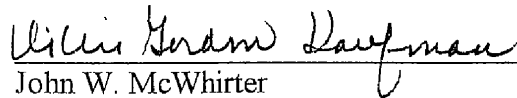
6. FIGU's interests are of the type that this proceeding is designed to protect. Agrico Chemical Company v. Department of Environmental Regulation, 406 So.2d 478 (Fla. 2d DCA 1981); Royal Palm Square Associates v. Servco, 623 So.2d 533 (Fla. 2d DCA 1993). See Florida Optometric Association v. Department of Professional Regulation, 567 So.2d 928 (Fla. 1st DCA 1990); Florida Medical Association v. Department of Professional Regulation, 426 So.2d 1112 (Fla. 1st DCA 1983). The purpose of the proceeding is to ensure that the rates Peoples charges are fair, just and reasonable pursuant to Chapter 366, Florida Statutes. The purpose of the proceeding thus coincides with FIGU's interest, which is to ensure that members' gas bills reflect prudent, economical choices. Further, the issues to be addressed and the interests to be protected by FIGU in this case are appropriately undertaken by an association such as FIGU.

7. Disputed Issues of Material Fact. FIGU anticipates that the issues of disputed fact in this case will include, but are not limited to:

- a. Whether the rate increase sought by Peoples is fair, just and reasonable;
- b. Whether the return on equity sought by Peoples is reasonable and in keeping with current market conditions;
- c. Whether the rate design proposed by Peoples is appropriate.

8. Statement of Ultimate Facts Alleged. FIGU alleges that the Commission should set fair, just and reasonable rates for Peoples.

WHEREFORE, FIGU requests the Commission to enter an order allowing it to intervene as a fully party in this docket.



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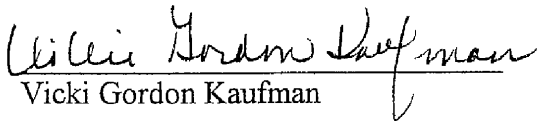
CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Florida Industrial Gas Users' Petition to Intervene was served by (*) Hand delivery or U.S. Mail to the following parties of record this 15th day of August 2002:

(*) Adrienne Vining
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

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