

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition To Determine Need For an Electrical Power Plant in Martin County by Florida Power & Light Company.

Docket No. 020262-EI

In re: Petition To Determine Need For an Electrical Power Plant in Manatee County by Florida Power & Light Company.

Docket No. 020263-EI

Filed: September 23, 2002

COMMISSION CLERK

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PETITION OF THOMAS P. TWOMEY AND GENEVIEVE E. TWOMEY TO INTERVENE

Pursuant to Rules 25-22.039 and 28-106.205, Florida Administrative Code, Thomas P. Twomey and Genevieve E. Twomey, hereby file their Petition to Intervene in these dockets 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
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. The name and address of the affected agency are:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

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### Substantial Interest

4. 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. The cost of electricity to petitioners in the future will depend upon whether the Commission approves the self-build projects sought by FPL in these dockets, determines that one or more of the RFP projects is more cost-effective, or determines that some mix of the supply side and demand side alternatives will best meet the capacity needs of FPL's customers and in the least-cost manner as required by Florida Law. Therefore, Petitioners will be substantially affected by any action the Commission takes in this docket and meet the two-prong test of Agrico Chemical Company v. Department of Environmental Regulation, 406 So.2d 478 (Fla. 2d DCA 1981) for proving substantial interests have been met.

### Disputed Issues of Fact and Law

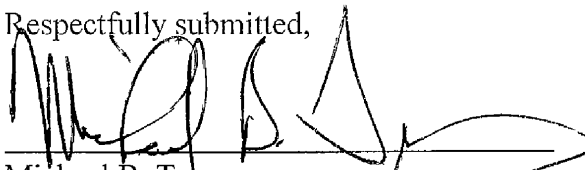
5. The following issues have been identified by Petitioners as disputed issues of material fact:

- a. Whether there is a need for the proposed Manatee and Martin units, taking into account the need for electric system reliability and integrity, as this criterion is used in Section 403.519, F.S.?
- b. Whether there is a need for the proposed Manatee and Martin units, taking into account the need for adequate electricity at a reasonable cost, as this criterion is used in Section 403.519, F.S.?
- c. Whether FPL met the requirement of Rule 25-22.082, F.A.C., by conducting a fair bidding process?

- d. Whether the proposed Manatee and Martin units are the most cost-effective alternatives available, as this criterion is used in Section 403.519, F.S.?
  - e. Whether there are any conservation measures taken by or reasonably available to FPL which might mitigate the need for the proposed power plants?
  - f. What action should the Commission take to ensure that FPL contracts with the suppliers of the “most cost-effective” options available to FPL’s ratepayers?
6. The following has been identified by Petitioners as an ultimate fact:
- a. FPL has failed to demonstrate that the proposed Manatee and Martin units are the most cost-effective means of meeting its capacity needs.
  - b. FPL has failed to demonstrate it has met the requirement of Rule 25-22.082, F.A.C. by conducting a fair bidding process

WHEREFORE, Thomas P. Twomey and Genevieve E. Twomey requests that this Commission grant them intervenor status in these consolidated dockets as full party respondents.

Respectfully submitted,



Michael B. Twomey  
Attorney for Thomas P. and Genevieve E. Twomey  
Post Office Box 5256  
Tallahassee, Florida 32314-5256  
Telephone: 850-421-9530

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of this petition has been served by

U.S. Mail, hand delivery or email this 23d day of September, 2002 on the following:

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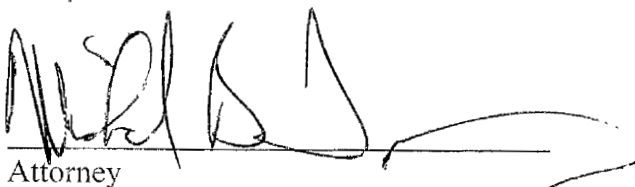
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