

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power
cost recovery clause with
generating performance incentive
factor.

DOCKET NO. 030001-EI
ORDER NO. PSC-03-1121-PCO-EI
ISSUED: October 8, 2003

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By Petition filed September 29, 2003, Florida Retail Federation (FRF), requests leave to intervene in this proceeding. In support of its Petition, FRF states that it is an organization of large retail consumers, a substantial portion of which are customers of the electric utilities involved in this docket. FRF asserts that it, and its members, will be substantially affected by actions taken in this docket as consumers of large amounts of electricity. FRF states that it is authorized to monitor the basis for fuel adjustment factors of electrical companies and to challenge such components.

Having reviewed the Petition, it appears that FRF's substantial interests may be affected by this proceeding. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, FRF takes the case as it finds it.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Petition to Intervene, filed by Florida Retail Federation, is hereby granted. It is further

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents that are hereinafter filed in this proceeding, to Ronald C. LaFace and Seann M. Frazier, Greenberg Traurig, P.A., 101 East College Avenue, Tallahassee, Florida 32301.

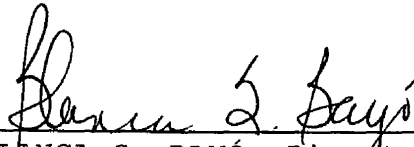
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ORDER NO. PSC-03-1121-PCO-EI
DOCKET NO. 030001-EI
PAGE 2

By ORDER of the Florida Public Service Commission this 8th Day
of October, 2003.



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

(S E A L)

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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.

ORDER NO. PSC-03-1121-PCO-EI
DOCKET NO. 030001-EI
PAGE 3

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; or (2) 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.