

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost Recovery) Docket No. 030001-EI
Clause with Generating Performance Incentive)
Factor.)

) **Filed October 8, 2003**

PETITION TO INTERVENE

Pursuant to Section 120.569 and 120.57(1), Florida Statutes, and Rule 25-22.039, Florida Administrative Code, Catherine L. Claypool, Helen Fisher, William Page, Edward A. Wilson, Sue E. Strohm, Mary Jane Williamson, Betty J. Wise, Carlos Lissabet, and Lesly A. Diaz, through their undersigned attorney, file their Petition to Intervene, and in support thereof, state as follows:

1. The name and address of the affected agency are:

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

2. The name and address of the petitioners are:

Catherine L. Claypool 3002 W. Kirby Street Tampa, Florida 33614	Helen Fisher 3004 W. Kirby Street Tampa, Florida 33614
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William H. Page 3006 W. Kirby Street Tampa, Florida 33614	Edward A. Wilson 3003 W. Sitka Street Tampa, Florida 33614
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Sue E. Strohm 2811 W. Sitka Street Tampa, Florida 33614	Mary Jane Williamson 7712 North Orleans Avenue Tampa, Florida 33604
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DOCUMENT NUMBER - DATE
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FPSC-COMMISSION CLERK

Betty J. Wise
3002 W. Kirby Street
Tampa, Florida 33614

Carlos Lissabet
2802 W. Kirby Street
Tampa, Florida 33614

Lesly A. Diaz
2806 W. Kirby Street
Tampa, Florida 33614

3. All pleading, motions, orders and other documents directed
to the petitioners should be served on:

Michael B. Twomey
Post Office Box 5256
Tallahassee, Florida 32314-5256
Phone: (850) 421-9530
FAX: (850) 421-8543
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Substantial Interests Affected

4. Tampa Electric Company (“Tampa Electric”) is an investor-owned electric utility subject to the jurisdiction of the Florida Public Service Commission. Tampa Electric provides retail electric service to customers in and around the City of Tampa.

5. Catherine L. Claypool, Helen Fisher, William Page, Edward A. Wilson, Sue E. Strohm, Mary Jane Williamson, Betty J. Wise, Carlos Lissabet, and Lesly A. Diaz are individual residential electric customers of Tampa Electric.

6. Rule 25-22.039, F.A.C., provides:

Intervention. Persons, other than the original parties to a pending proceeding, who have a substantial interest in the proceeding, and who desire to become parties may petition the presiding officer for leave to intervene. Petitions for leave to intervene must be filed at least five (5) days before the final hearing, must conform with Uniform Rule 28-106.201(2) and must include allegations sufficient to demonstrate that the intervenor is entitled to participate in the proceeding as a

matter of constitutional or statutory right or pursuant to Commission rule, or. Intervenor take the case as they find it.

7. The fundamental purpose of this docket is to examine the reasonableness and prudence of the fuel and related costs, including transportation expense, of the state's investor-owned electric utilities, including those of Tampa Electric.

8. As residential customers of Tampa Electric, Catherine L. Claypool's, Helen Fisher's, William Page's, Edward A. Wilson's, Sue E. Strohm's, Mary Jane Williamson's, Betty J. Wise's, Carlos Lissabet's, and Lesly A. Diaz's electricity rates, and, thus, their economic substantial interests, will be determined by the level of fuel and fuel transportation charges this Commission allows Tampa Electric to charge them through the proceedings conducted in this docket.

Disputed Issues of Fact and Law

9. The following issues have been identified by the above Tampa Electric residential electric customers as disputed issues of material fact:

- a. Are the dollar amounts sought by Tampa Electric for fuels of all types sought by Tampa Electric for recovery through this docket reasonable and prudent?
- b. Are the dollar amounts sought by Tampa Electric for the transportation of fuels of all types sought by Tampa Electric for recovery through this docket reasonable and prudent?

10. The following has been identified by the above Tampa Electric residential electric customers as an ultimate fact:

- a. Tampa Electric has failed to demonstrate that all of the fuel and fuel transportation costs sought for recovery through this docket are reasonable and prudent.

WHEREFORE, Catherine L. Claypool, Helen Fisher, William Page, Edward A. Wilson, Sue E. Strohm, Mary Jane Williamson, Betty J. Wise, Carlos Lissabet, and Lesly A. Diaz request that the Commission grant them intervenor status in this docket as full parties.

Respectfully submitted,

/s/ Michael B. Twomey
Michael B. Twomey
Attorney for Petitioner Residential
Customers of Tampa Electric Company
Post Office Box 5256
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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 or email this 8th day of October, 2003 on the following:

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