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October 10, 2003

HAND DELIVERED

Ms. Blanca S. Bayo, Director
Division of Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Fuel and Purchased Power Cost Recovery Clause with Generating Performance
Incentive Factor; FPSC Docket No. 030001-EI

Dear Ms. Bayo:

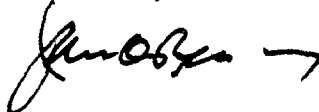
Enclosed for filing in the above docket are the original and ten (10) copies of each of the following:

1. Tampa Electric Company's Answer in Opposition to Petition to Intervene.
2. Tampa Electric Company's Response in Opposition to Motion to Establish Separate Docket.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to this writer.

Thank you for your assistance in connection with this matter.

Sincerely,



James D. Beasley

JDB/pp
Enclosures

cc: All Parties of Record (w/encls.)

DOCUMENT NUMBER-DATE

09912 OCT 10 8

FPSC-COMMISSION OF REG.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost Recovery)
Clause with Generating Performance Incentive) DOCKET NO. 030001-EI
Factor.) FILED: October 10, 2003
_____)

**TAMPA ELECTRIC COMPANY'S ANSWER IN OPPOSITION
TO PETITION TO INTERVENE**

Tampa Electric Company ("Tampa Electric" or "the company"), pursuant to Rule 25-22.039 and 28-106.203, Florida Administrative Code, files this its answer in opposition to the Petition to Intervene filed October 8, 2003 on behalf of certain named individuals alleged to be customers of Tampa Electric, and says:

1. All of Tampa Electric's residential customers are already represented in this proceeding by Office of Public Counsel ("OPC") which has been an active participant in this docket during all of 2003 and in prior years.

2. The petition does not state any facts that differentiate the named individual customers from all other residential customers of Tampa Electric whose substantial interests are more than adequately represented by OPC.

3. If the named individual residential customers are merely representative members of an organization or a group desiring to affect the outcome of this proceeding, then the Petition to Intervene is deficient in that it fails to disclose the real party in interest seeking to intervene.

4. Allowing different small groups of individual residential customers to be represented through counsel other than OPC without any demonstration as to why OPC cannot adequately represent their interests would set bad precedent by encouraging a multitude of individual interventions duplicating the role of OPC under Section 350.0611, Florida Statutes

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

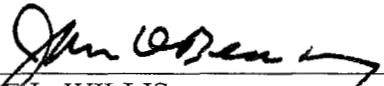
which states: "It shall be the duty of the Public Counsel to provide legal representation for the people of the state in proceedings before the Commission. . . ." Such a result would be inconsistent with the obvious intent of the Legislature when it created OPC and would unduly complicate and delay the conduct of Commission proceedings.

6. The Petition to Intervene and the Motion to Establish Separate Docket that accompanied it have been filed late in this proceeding and for the apparent sole purpose of attempting to delay the Commission's consideration and disposition of issues that have been open for consideration and subject to discovery and development for many months. OPC has engaged in that process and has filed testimony on behalf of all residential Tampa Electric customers.

WHEREFORE, Tampa Electric urges that the Petition to Intervene on behalf of certain named residential customers filed October 8, 2003 be denied.

DATED this 10th day of October 2003.

Respectfully submitted,



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Answer in Opposition, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (*) on this 10th day of October 2003 to the following:

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