

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost)
Recovery Clause with Generation) DOCKET NO. 030001-EI
Performance Incentive Factor) FILED: OCTOBER 23, 2003
_____)

CSX TRANSPORTATION'S NOTICE OF JOINDER IN CLAYPOOL'S MOTION TO
ESTABLISH SEPARATE DOCKET, THE CITIZENS' MOTION IN OPPOSITION
TO TECO'S MOTION FOR LEAVE TO FILE SUPPLEMENTAL
TESTIMONY AND EXHIBITS, AND FIPUG'S RESPONSE
TO TECO'S MOTION TO ALTER SCHEDULE

CSX Transportation ("CSX"), subject to its pending petition to intervene in this docket, hereby gives notice of its joinder in (1) the motion of Catherine L. Claypool, Helen Fisher, et al. ("Claypool") to establish a separate docket regarding the fuel transportation costs incurred by Tampa Electric Company ("TECO"), filed herein on October 8, 2003; (2) the motion of the Citizens of the State of Florida in opposition to TECO's motion for leave to file supplemental testimony and exhibit, filed herein on September 30, 2003; and (3) the response in opposition to TECO's motion to alter schedule filed herein by the Florida Industrial Power Users Group ("FIPUG") on October 1, 2003.

Desiring to avoid unnecessarily burdening the record of this proceeding, CSX summarizes its positions with respect to these motions and the relevant issues in the docket as follows.

1. CSX agrees emphatically and wholeheartedly with Claypool, FIPUG, and the Citizens that there is insufficient time

to provide due process for parties to digest and respond to TECO's September 25 testimony and exhibits.

2. CSX further agrees emphatically and wholeheartedly with the relief requested by Claypool, the Citizens, and FIPUG, namely to defer, to a separate proceeding in 2004 or to the 2004 fuel cost recovery docket, consideration and decision on the issues raised surrounding TECO's purported request for proposals process and surrounding TECO's decision to contract with its affiliate, TECO Transport, for coal transportation services.

3. Substantively, CSX submitted two proposals or bids in response to TECO's request for proposals by which CSX proposed to provide the requested transportation of coal from the mine areas desired by TECO to Big Bend generation station. CSX's bids were for one million tons per year ("TPY") and two million TPY; the two million TPY bid also offered to provide up to all of TECO's coal transportation requirements for Big Bend station. CSX's proposals also offered to pay for what CSX believes would be the entire cost of necessary infrastructure upgrades within Big Bend station to accommodate the delivery of coal by rail. On information and belief, the pricing proposed by CSX would provide savings of millions of dollars per year to TECO's customers as compared to the pricing that TECO proposes to pay to its affiliate, TECO Transport.

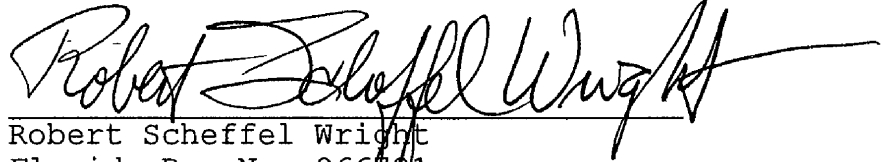
4. CSX is aware that TECO has, pursuant to discovery propounded by the Commission Staff, furnished CSX's bids to the

Commission pursuant to a request for confidential treatment or confidential protective order. CSX regards its bid information as confidential, proprietary business information, but CSX is, of course, willing and able to explain and support this information in appropriately protected proceedings before the Commission. The separate docket and hearing requested by Claypool, the Citizens, and FIPUG would provide the appropriate forum for the Commission to receive this testimony and related documentary evidence and to make an appropriate, fully informed decision regarding the cost-effectiveness of CSX's proposals and TECO's imprudence at rejecting them, as well as to make appropriate, fully informed decisions regarding the rate impacts of these matters and regarding other measures that the Commission may consider to ensure that TECO's captive customers are protected from the adverse effects of TECO's imprudent practices and decisions.

WHEREFORE, BASED ON THE FOREGOING, CSX Transportation joins in the motion to establish separate docket filed herein by Catherine Claypool, Helen Fisher, et al., in the motion in opposition filed herein by the Citizens of the State of Florida, in the response in opposition filed herein by the Florida Industrial Power Users Group, and specifically in the requests set forth in all of these pleadings that the Commission defer its consideration and decisions on the issues raised in this docket

regarding TECO's coal transportation procurement practices and also regarding TECO's projected coal transportation costs, to a separate proceeding in 2004.

Respectfully submitted this 23rd day of October, 2003.

A handwritten signature in black ink, reading "Robert Scheffel Wright". The signature is written in a cursive style with a long horizontal flourish extending to the right.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by U.S. Mail or hand delivery (*) this 23rd day of October, 2003 on the following:

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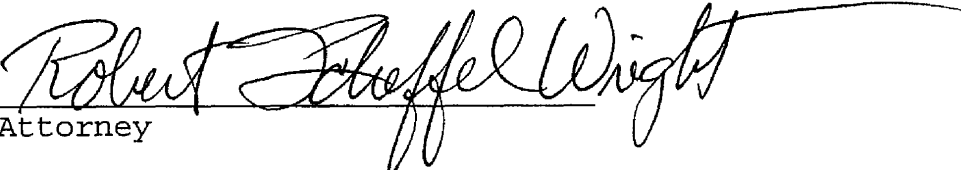
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