

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Approval of  
Numeric Conservation Goals by  
Progress Energy Florida, Inc.

Docket No.: 040031-EG  
Filed: April 22, 2004

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CLERK

THE FLORIDA INDUSTRIAL POWER USERS GROUP'S  
PETITION TO INTERVENE

Pursuant to Chapter 120, Florida Statutes and Rules 25-22.039 and 28-106.205, Florida Administrative Code, the Florida Industrial Power Users Group (FIPUG), through its undersigned counsel, submits its Petition to Intervene, and in support thereof states:

1. The affected agency is the Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

2. The name and address of the Petitioner is:

Florida Industrial Power Users Group  
c/o McWhirter, Reeves, McGlothlin, Davidson,  
Kaufman, & Arnold, P.A.  
400 North Tampa Street, Suite 2450  
Tampa, Florida 33602  
Telephone: (813) 224-0866  
Telecopier: (813) 221-1854

3. Copies of all pleadings, notices, and orders in this Docket should be provided to:

John W. McWhirter  
McWhirter Reeves, McGlothlin, Davidson,  
Kaufman, & Arnold, P.A.  
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Vicki Gordon Kaufman  
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Tallahassee, Florida 32301  
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4. FIPUG is an ad hoc association consisting of industrial users of electricity in Florida. The cost of electricity constitutes a significant portion of FIPUG members' overall costs of production. FIPUG members require adequate, reasonably priced electricity in order to compete in their respective markets.


5. Statement of Affected Interests. The decision that the Commission makes in this docket will determine the conservation goals and programs for Progress Energy Florida, Inc. (Progress) for the next ten years. The costs of such programs are passed through to ratepayers every year through the conservation cost recovery clause. Since FIPUG members may bear a portion of such costs, its substantial interests are affected.

6. FIPUG's interests are of the type that this proceeding is designed to protect. Agrico Chemical Company v. Department of Environmental Regulation, 406 So.2d 478 (Fla. 2d DCA 1981). The purpose of the proceeding is to review conservation goals and programs which ultimately ratepayers will fund. The purpose of the proceeding thus coincides with FIPUG's interest, which is to ensure that members' electrical bills reflect prudent, economical choices.

7. Disputed Issues of Material Fact. At this point in time, FIPUG does not yet know whether there will be any disputed issues of material fact. Such a determination can only be made after a review of Progress' filings.

8. Statement of Ultimate Facts Alleged. FIPUG alleges that conservation goals and the programs approved to implement such goals must be cost-effective for ratepayers

**WHEREFORE**, FIPUG requests the Commission enter an order allowing it to intervene as a full party in this docket.



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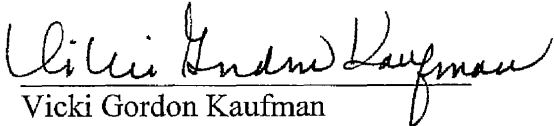
Attorneys for Florida Industrial Power Users Group

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing The Florida Industrial Power Users Group's Petition to Intervene has been furnished by (\*) hand delivery, or U.S. Mail this 22<sup>nd</sup> day of April 2004 to the following:

(\*) Adrienne Vining  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

James McGee  
Progress Energy Florida, Inc.  
P.O. Box 14042  
St. Petersburg, FL 33733-4042

  
Vicki Gordon Kaufman