

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for approval of storm cost recovery clause for recovery of extraordinary expenditures related to Hurricanes Charley, Frances, Jeanne, and Ivan, by Progress Energy Florida, Inc.

DOCKET NO. 041272-EI  
ORDER NO. PSC-05-0068-PCO-EI  
ISSUED: January 19, 2005

The following Commissioners participated in the disposition of this matter:

BRAULIO L. BAEZ, Chairman  
J. TERRY DEASON  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By petition, dated December 27, 2004, Buddy L. Hansen individually, and the Sugarmill Woods Civic Association, Inc. (Sugarmill Woods), have requested permission to intervene in this proceeding.

Buddy L. Hansen states that he is a residential customer of Progress Energy Florida, Inc. (PEF). He further states that the cost of electricity is one of the larger variable costs in his household budget. He therefore asserts that his substantial interests will be affected by any action the Commission takes in this docket, which will necessarily include retail rate increases if PEF's requested relief is granted.

Petitioner Sugarmill Woods states that it is a non-profit association representing the interests of homeowners in the Sugarmill Woods community in Citrus County, Florida. The association and the majority of the association's members receive their electric service from PEF. Sugarmill Woods therefore asserts that it and the majority of its members will be substantially affected by any action the Commission takes in this docket, which will necessarily include retail rate increases if PEF's requested relief is granted.

Having reviewed the Petition, it appears that Buddy L. Hansen and Sugarmill Woods' substantial interests may be affected by this proceeding. There has been no response filed in opposition to this request, and the time for doing so has expired. Pursuant to Rule 25-22.039, Florida Administrative Code, the petitioners take the case as they find it.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition to Intervene filed by Buddy L. Hansen, individually, and the Sugarmill Woods Civic Association, Inc., is hereby granted. It is further

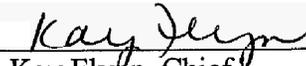
ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in this proceeding, to:

Michael B. Twomey, Esq.  
P.O. Box 5256  
Tallahassee, FL 32314-5256

By ORDER of the Florida Public Service Commission this 19th day of January, 2005.

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

By:

  
\_\_\_\_\_  
Kay Flynn, Chief  
Bureau of Records

(SEAL)

JSB

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.

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.