

CONFIDENTIAL

Matilda Sanders

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Sent: Wednesday, March 23, 2005 3:56 PM
To: Filings@psc.state.fl.us
Subject: Docket No. 050045-EI
Attachments: petition.pdf

- a. David Brown
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- b. Docket No. 050045-EI; Petition to Intervene of the Commercial Group
- c. The Commercial Group
- d. Petition to Intervene (3 pages); Affidavit (2 pages)
- e. Petition to Intervene of the Commercial Group, Affidavit of Alan R. Jenkins

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DOCUMENT NUMBER 02863
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Rate Increase by)	
Florida Power and Light Company)	Docket No. 050045-EI
)	
)	

PETITION TO INTERVENE OF THE COMMERCIAL GROUP

Pursuant to Florida Statutes Chapter 120 and Florida Administrative Code Rules 25-22.039 and 28-106.205, the Commercial Group hereby respectfully files its Petition to Intervene.

In support thereof, the Commercial Group respectfully shows the following:

1.

The affected agency is the Florida Public Service Commission (“Commission”) and its address is 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850.

2.

The Commercial Group’s interest and grounds for intervention are based on the following facts:

- a. The Commercial Group is an ad hoc association of large commercial customers of Florida Power & Light Company (“Florida Power”).
- b. The Commission proposes to examine in the above docket the rates of Florida Power that it charges its commercial customers. Accordingly, the Commercial Group has an interest in this proceeding.
- c. The interests of the Commercial Group are not adequately represented by other parties to this proceeding. Moreover, this intervention would not unduly delay the proceedings or prejudice the rights of other parties.

3.


The Commercial Group designates the following person to be its qualified representative, to receive all notices, correspondence, and filings in the above docket, and to be placed upon the official service list in this proceeding. The Commercial Group finds Mr. Jenkins to be well-qualified to represent its interests in this proceeding and desires Mr. Jenkins to do so. His affidavit is included herewith:

Alan R. Jenkins
McKenna Long & Aldridge LLP
One Peachtree Center
303 Peachtree Street
Suite 5300
Atlanta, Georgia 30308

WHEREFORE, the Commercial Group respectfully requests that the Commission grant the intervention of the Commercial Group in this docket allowing it to participate fully as a party of record.

This 23rd day of March, 2005.

Respectfully submitted,



David Brown
Florida Bar No. 0551325

For McKENNA LONG & ALDRIDGE LLP
Attorneys for the Commercial Group
One Peachtree Center
303 Peachtree Street, N.E., Suite 5300
Atlanta, Georgia 30308
(404) 527-4000

CERTIFICATE OF SERVICE

I, David Brown, an attorney for The Commercial Group, hereby certify that I have served Petition To Intervene Of The Commercial Group upon the following parties in Docket No. 050045 by depositing a copy of same in the United States mail with sufficient postage, addressed as follows:

John W. McWhirter
McWhirter Reeves, Davidson,
Kaufman & Arnold, P.A.
400 North Tampa Street, Suite 2450
Tampa, FL 33602

Timothy J. Perry
McWhirter Reeves, Davidson,
Kaufman & Arnold, P.A.
117 South Gadsden Street
Tallahassee, FL 32301

Wm. Cochran Keating IV
Katherine Fleming
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Blvd.
Tallahassee, FL 32399


R. Wade Litchfield
Natalie F. Smith
Florida Power & Light Company
700 Universe Blvd.
Juno Beach, FL 33408

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Holland & Knight Law Firm
Post Office Drawer 810
Tallahassee, FL 32302-0810

Jaime Torrens
Miami-Dade County Public Schools
1450 N.E. 2nd Avenue
Miami, FL 33132

This 23rd day of March, 2005.


David Brown

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Rate Increase by
Florida Power and Light Company

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Docket No. 050045-EI

AFFIDAVIT OF ALAN R. JENKINS

The undersigned hereby attests to the following:

1.

I am licensed to practice law in Virginia, Georgia and the District of Columbia.

2.

I am familiar with the factual and legal issues involved in the above-captioned docket.

3.

I have knowledge of jurisdiction and rules of evidence including the concept of hearsay in an administrative proceeding having appeared before a number of state and federal utility commissions and other administrative agencies.

4.

I have knowledge of the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding.

5.

I have knowledge of and agree to comply with the Standards of Conduct for Qualified Representatives, Rule 28-106.107.

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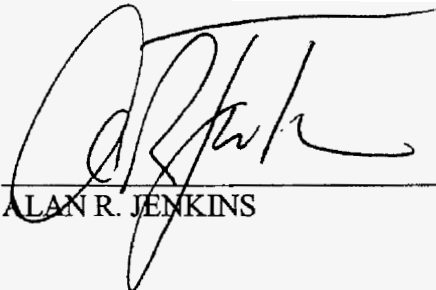
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FPSC-COMMISSION CLERK

6.

I am competent and of sound mind to attest to the above.

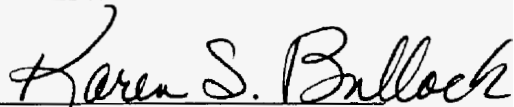
This 17 day of March 2005.



ALAN R. JENKINS

Sworn to and subscribed before me

This 23rd day of
March, 2005.



Karen S. Bullock
Notary Public

My Commission Expires

