

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for approval of long-term fuel supply and transportation contracts for Hines Unit 4 and additional system supply and transportation, by Progress Energy Florida, Inc.

DOCKET NO. 041414-EI
ORDER NO. PSC-05-0404-PCO-EI
ISSUED: April 18, 2005

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By petition, dated March 30, 2005, BG LNG Services, LLC has requested permission to intervene in this proceeding. BG LNG Services, LLC (BG) states that it is a major supplier of liquefied natural gas (LNG) into markets in the United States and has entered into a long-term contract with Progress Energy Florida, Inc. (PEF) to deliver regasified LNG to PEF at the tailgate of the Elba Island, Georgia LNG terminal. BG's contract with PEF is part of the group of agreements that PEF has asked the Commission to approve in this proceeding. As a result, BG maintains that the Commission's decision in this proceeding will have a direct and substantial impact on BG's rights and obligations under the BG-PEF contract as well as other business interests. Therefore, BG argues that it has a substantial and direct interest in this proceeding that will be affected by the Commission's actions and decisions in this matter.

Having reviewed the Petition, it appears that BG LNG Services, LLC substantial interests may be affected by this proceeding. There has been no response filed in opposition to this request. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, BG LNG Services, LLC takes the case as it finds it.

Therefore, it is

ORDERED by Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, that the Petition to Intervene filed by BG LNG Services, LLC, 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:


David Lyles Cruthirds
Attorney at Law
4302 Cheena Drive
Houston, TX 77096

BG LNG Services, LLC c/o
David N. Keane
Vice President, Policy and Corporate Affairs
BG North America, LLC
5444 Westheimer, Suite 1200
Houston, TX 77056

0374 | APR 18 05

FPSC-COMMISSION CLERK

By ORDER of Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, this
18th day of April, 2005.



RUDOLPH "RUDY" BRADLEY
Commissioner and Prehearing Officer

(S E A L)

AEV

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.