

Matilda Sanders

From: Keating, Beth [beth.keating@akerman.com]
Sent: Thursday, June 14, 2007 9:51 AM
To: Filings@psc.state.fl.us
Subject: Docket NO. 070298
Attachments: 20070614100910976.pdf

ORIGINAL

Good morning. Please accept the attached for filing in the referenced Docket. If you have any questions at all, please don't hesitate to contact me.

Sincerely,

Beth Keating

A. Beth Keating
Akerman Senterfitt
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B. Docket No. 070298-EI - Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, Florida Administrative Code, submitted by Progress Energy Florida, Inc.

C. Filed on behalf of: Florida Cable Telecommunications Association, Inc. (FCTA)

D. Number of page: 4

E. Petition to Intervene



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June 14, 2007

VIA ELECTRONIC FILING

Ms. Ann Cole
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 070298-EI –Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, Florida Administrative Code, submitted by Progress Energy Florida, Inc.

Dear Ms. Cole:

Enclosed for filing on behalf of the Florida Cable Telecommunications Association (FCTA), please find FCTA's Petition to Intervene in the above-referenced Docket.

Your assistance in this matter is greatly appreciated. Should you have any questions, please don't hesitate to contact me.

Sincerely,



Beth Keating
AKERMAN SENTERFITT
106 East College Avenue, Suite 1200
Tallahassee, FL 32302-1877
Phone: (850) 224-9634
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, Florida Administrative Code, submitted by Progress Energy Florida, Inc..

Docket No. 070298-EI

Filed: June 14, 2007

ORIGINAL

Petition to Intervene

Pursuant to Rule 25-22.039, Florida Administrative Code, the Florida Cable Telecommunications Association, Inc. (FCTA) respectfully asks that the Commission allow FCTA to intervene in this proceeding, and in support thereof, states as follows:


1. The FCTA is a non-profit trade association representing the cable telecommunications industry in the State of Florida, cable companies providing cable services and information services in the State of Florida, as well as certificated competitive local exchange carriers (CLECs) providing voice communications services in the State of Florida (FCTA members). The FCTA's business address is 246 E. 6th Avenue, Tallahassee, FL 32303.

2. The name and addresses of the persons authorized to receive all notices, pleadings and other communications in this Docket are:

Maria T. Browne, Esquire Davis, Wright, Tremaine, LLP 1919 Pennsylvania Ave., NW, Suite 200 Washington, D.C. 20006 Tel: (202) 973-4281 Fax: (202) 973-4499 E-mail: mariabrowne@dwt.com	Beth Keating, Esquire Akerman Senterfitt 106 East College Ave., Suite 1200 Tallahassee, FL 32301 Tel. (850) 521-8002 Fax: (850) 222-0103 E-mail: beth.keating@akerman.com
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3. Cable systems, including those of FCTA members', distribute service through a community along lines and cables that extend either above ground attached to utility poles or below ground through conduits and trenches. FCTA members attach their facilities to poles owned by Florida IOUs, including Progress Energy Florida, Inc. (Progress), and have existing agreements with Progress for attachments to such poles. As such, FCTA members are "third party attachers" as contemplated by Rule 25-6.0342, Florida Administrative Code, and their substantial interests will necessarily be directly and profoundly impacted by the Commission's decision with regard to Progress's Storm Hardening Plan in this Docket. Furthermore, FCTA has associational standing to participate in this proceeding representing the interests of its members, a substantial number of whom would otherwise have the right to participate individually in this matter. See Hunt v. Washington State Apple Advertising Commission, 432 U.S. 333 (1977); and Florida Home Builders Ass'n. v. Dept. of Labor, 412 So. 2d 351 (Fla. 1982).

Respectfully submitted this 14th day of June, 2007.

By: 
Beth Keating, Esquire
Akerman Senterfitt
106 East College Ave., Suite 1200
Tallahassee, FL 32301

Attorneys for FCTA

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Florida Telecommunications Association's Petition to Intervene has been served upon John T. Burnett, Progress Energy Florida, Inc., P.O. Box 14402, St. Petersburg, FL 33733-4042, and that a copy has also been provided via Hand Delivery or US Mail to the persons listed below this 14th day of June, 2007:

Mr. Paul Lewis Progress Energy Florida, Inc. 106 East College Ave., Suite 800 Tallahassee, FL 32301	J.Meza/E.Edenfield/J.Kay/T.Hatch c/o Ms. Nancy H. Sims 150 South Monroe Street, Suite 400 Tallahassee, FL 32301-1556
Susan S. Masterton Mailstop: FLTLHO0102 1313 Blair Stone Rd. Tallahassee, FL 32301	Howard E. Adams/Peter M. Dunbar c/o Pennington Law Firm P.O. Box 10095 Tallahassee, FL 32302-2095
Mr. David Christian 106 East College Avenue, Suite 710 Tallahassee, FL 32301-7721	Dulaney L. O'Roark III Six Concourse Parkway, Suite 800 Atlanta, GA 30328
Lorena Holley, Staff Counsel Florida Public Service Commission, Office of the General Counsel 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850	Adam Teitzman, Staff Counsel Florida Public Service Commission, Office of the General Counsel 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

By: _____



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