

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: PETITION FOR INCREASE IN
RATES BY PROGRESS ENERGY
FLORIDA, INC.

Docket No. 090079-EI
Submitted for filing: May 26, 2009

**PROGRESS ENERGY FLORIDA, INC.'S RESPONSE TO
DEPARTMENT OF THE NAVY'S PETITION TO INTERVENE**

Progress Energy Florida, Inc. ("PEF"), by and through undersigned counsel, hereby files this response to the Department of the Navy's Petition to Intervene ("Petition") and states as follows:

1. On May 18, 2009, the Department of the Navy filed its Petition to seek full intervener status in the above-referenced docket.

2. While the Petition does not specifically comply with the pleading requirements set forth in Rules 28-106.205 and 28-106.201(2), F.A.C., PEF acknowledges that the Department of the Navy is a PEF customer and thus meets the standing test set forth in those rules. Therefore, PEF does not oppose the Petition.

Respectfully submitted,



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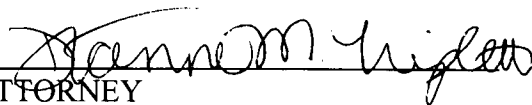
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via electronic and U.S. Mail to the following counsel of record as indicated below on this 26th day of May, 2009.


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