## ANDREW B. JACKSON

Attorney at Law 150 NORTH COMMERCE AVENUE SEBRING, FLORIDA 33870

ORIGINAL FILE COPY

**Mailing Address** P.O. Box 2025 Sebring, FL 33871

August 8, 1991

Telephone (813) 382-3686 Fax # (813) 382-3686

Mr. Steve C. Tribble, Director Division of Records and Reporting Florida Public Service Commission 101 East Gaines Street Tallahassee, Florida 32301

Re: Docket No. 910811

Petition of Tampa Electric Company for Resolution of Territorial Uncertainty.

Dear Mr. Tribble:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Peace River Electric Cooperative, Inc.'s Petition to Intervene.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to this writer.

	Thank yo	ou for your	assistance :	in this matter.
ACK			Sincerely	γ,
AFA				11
APP			1110	fails in
CAF	<u> </u>			Jackson
CMU				for Peace River Cooperative, Inc.
CTR				
EAG ABJ	/cb			
LEG End	sin .			
LIN 6				
OPC 4				
RCH	<u> </u>			
SEC				
WAS			ITIVIN	
<u> </u>		r.η 8 m/ (	5- 90V ILSI	

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE 08072 AUG -9 1991 PSC-RECORDS/REPORTING

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Tampa Electric Company for Resolution of Territorial Uncertainty.

ا لر حل م

DOCKET NO. 910811

## PETITION TO INTERVENE

Petitioner, PEACE RIVER ELECTRIC COOPERATIVE, INC. (PRECO) files this its Motion to Intervene in the above style matter.

1. The name of PRECO and the addresses of its principal business office are as follows:

Peace River Electric Cooperative, Inc. Highway 17 North P.O. Box 1310 Wauchula, Florida 33873

2. The names and addresses of the persons authorized to receive notices and communications for PRECO in respect to this Motion are:

Mr. Richard Maenpaa, Manager Peace River Electric Cooperative, Inc. P.O. Box 1310 Wauchula, Florida 33873

Andrew B. Jackson, Esq. P.O. Box 2025 Sebring, Florida 33871

3. PRECO, by virtue of Florida Statutes, Chapter 425, and the Charter issue to it thereunder, is authorized and empowered to furnish electricity and power to its members, private individuals, corporations and others, as defined by the laws of Florida and pursuant to such authority, presently furnishes electricity and power to members and customers in areas of Manatee County, Florida and elsewhere.

DOCUMENT NUMBER-DATE

08072 AUG -9 1991

PSC-RECORDS/REPORTING

- 4. PRECO and Tampa Electric Company ("Tampa Electric")
  entered into a territorial agreement, dated January 9, 1987.
  Said Territorial Agreement was approved by Florida Public Service
  Commission (the "Commission") in order no's. 17585 and 17714,
  issued on 5/22/87 and 6/18/87 respectively in Docket No.
  870303-EU (hereafter referred to as "The Territorial Agreement")
  (a copy of the Territorial Agreement is attached to Tampa
  Electric's Petition).
- 5. I.M.C. FERTILIZER, INC. ("IMC") has requested that
  Tampa Electric provide it with retail electrical service in that
  portion of Manatee County allocated to PRECO in the Territorial
  Agreement.
- 6. Tampa Electric has expressed its intent to serve IMC on an interim basis pending the Commission's final resolution of this matter and states that unless ordered to do otherwise will provide service to IMC in that portion of Manatee County allocated to PRECO by the Territorial Agreement.
- 7. Providing of retail electrical service by Tampa

  Electric in that portion of Manatee County allocated to PRECO is

  contrary to the terms and conditions of the Territorial

  Agreement.
- 8. This Commission has and continues to provide active, continuous supervision over territories served by electrical utilities in Florida.
- PRECO has a substantial interest in the outcome of this proceeding.
  - 10. PRECO objects to Tampa Electric providing retail

electrical service in areas allocated to PRECO in the Territorial Agreement.

WHEREFORE, PRECO requests that Tampa Electric be ordered not to provide retail electrical service in those areas allocated to PRECO in the Territorial Agreement and that PRECO be allowed to intervene and participate in these proceedings pending the Commission's final resolution of this matter.

DATED this 8 day of August, 1991.

Respectfully submitted,

Andrew B. Jackson Attorney for PRECO Post Office Box 2025 Sebring, Florida 33871

(813) 382-3686

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the Original and 15 copies of the PETITION TO INTERVENE has been mailed by regular US Mail this to Mr. Steve C. Tribble, Director, Division of Records and Reporting, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32301 and a copy of the Petition to Intervene has been mailed by regular US Mail to Lee J. Willis, Esquire, Post Office Box 391, Tallahassee, Florida 32302, this day of August, 1991.

indrew B. Jackson, Esq.

TO:	Lega Lega dis sent to you for:	*******
Your Inf	ormation Handling ry action n Handling	
Remarks:	8108-91	
Vivision of Rec	ords & Reporting	B