

11/30/95

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FILE COPY

November 30, 1995

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Conference Center
Room 110
Tallahassee, Florida 32399-0850

HAND DELIVERY

Re: Docket No. 951295-EU

Dear Ms. Bayo:

Enclosed herewith for filing in the above-referenced docket on behalf of the City of Tallahassee are the original and fifteen copies of the City of Tallahassee's Petition for Leave to Intervene.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

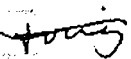
Sincerely,


Kenneth A. Hoffman

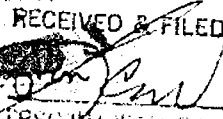
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cc: All Parties of Record

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RECEIVED & FILED


FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

12002 NOV 30 '95

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to Invalidate or)
Modify Territorial Agreement)
between City of Tallahassee and)
Talquin Electric Cooperative, Inc.)
by Paul A. Lehrman and Randall E.)
Denker.)

Docket No. 951295-EU

Filed: November 30, 1995

CITY OF TALLAHASSEE'S
PETITION FOR LEAVE TO INTERVENE

The City of Tallahassee ("City"), pursuant to Rule 25-22.039, Florida Administrative Code, hereby petitions the Florida Public Service Commission for Leave to Intervene in this docket and, as grounds therefor, states as follows:

1. The City is a municipal electric utility and is an "electric utility" within the meaning of Chapter 366, Florida Statutes.

2. All pleadings, orders, notices or other papers filed or served in this docket should be served on the following persons on behalf of the City at the following addresses:

KENNETH A. HOFFMAN, ESQ.
WILLIAM B. WILLINGHAM, ESQ.
Rutledge, Ecenia, Underwood,
Purnell and Hoffman, P.A.
P. O. Box 551
Tallahassee, FL 32302
(904) 681-6788

Mr. KEVIN G. WAILES
Electric Department
City of Tallahassee
300 South Adams Street
Tallahassee, FL 32301
(904) 891-8383

3. The City is a party to the Territorial Agreement referred to in the Petition to Invalidate or Modify Territorial Agreement ("Petition") filed in this case. Any Commission action to invalidate or modify that Territorial Agreement will affect the City's substantial interests as a party to that Agreement and could

DOCUMENT NUMBER-DATE

12002 NOV 30 12

FPSC-RECORDS/REPORTING

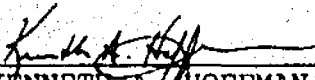
effect its right to serve as outlined in that Agreement.

4. The Petitioners have filed what is essentially a Complaint against the City regarding the quality of electric service provided by the City to the Petitioners. This Complaint is styled as a Petition to Invalidate or Modify Territorial Agreement rather than as a complaint directed against and/or seeking relief from the City.¹ Therefore, in an abundance of caution, the City seeks leave to intervene to insure its right to participate as a party in this proceeding.

5. Based on the foregoing allegations, the substantial interests of the City are subject to determination or will be affected through this proceeding.

WHEREFORE, the City respectfully requests that the Commission grant its Petition for Leave to Intervene.

Respectfully submitted,



KENNETH A. HOFFMAN, ESQ.
WILLIAM B. WILLINGHAM, ESQ.
Rutledge, Ecenia, Underwood,
Purnell and Hoffman, P.A.
P. O. Box 551
Tallahassee, FL 32302
(904) 681-6788

¹On November 21, 1995, the City filed a Motion for an extension of time to file a responsive pleading to the Petition.

CERTIFICATE OF SERVICE

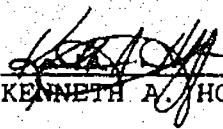
I HEREBY CERTIFY that a copy of the foregoing City of Tallahassee's Petition for Leave to Intervene was furnished by U. S. Mail to the following this 30th day of November, 1995:

Randall E. Denker, Esq.
7600 Bradfordville Road
Tallahassee, FL 32308

Paul A. Lehrman, Esq.
7600 Bradfordville Road
Tallahassee, FL 32308

James H. Thompson, Esq.
J. Jeffry Wahlen
P. O. Box 391
Tallahassee, FL 32302

Martha Carter Brown, Esq.
Florida Public Service Commission
2540 Shumard Oak Boulevard
Room 370
Gerald L. Gunter Building
Tallahassee, FL 32399-0850


KENNETH A. HOFFMAN, ESQ.