MCWHIRTER REEVES

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PLEASE REPLY TO:

TALLAHASSEE

Tallahassee Office: 117 South Gadsden Tallahassee, Florida 32301

January 20, 2000

VIA HAND DELIVERY

Blanca S. Bayo, Director Division of Records and Reporting **Betty Easley Conference Center** 4075 Esplanade Way Tallahassee, Florida 32399-0870

Docket Number 992014-EI Re:

Dear Ms. Bayo:

On behalf of Florida Industrial Power Users Group, enclosed for filing and distribution are the original and 15 copies of the following:

Petition to Intervene

Please acknowledge receipt of the above on the extra copy of each and return the stamped copies to me in the envelope provided. Thank you for your assistance.

Yours truly,

Vicki Gordon Kaufman

VGK/ck

AFA APP CAF

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EAG Jenc.

OPC RRR SEC WALLY

DOCUMENT NUMBER-DATE



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Tampa Electric Company's

Docket No. 992014-EI

Petition for Approval of its Plan to bring its Generating Units into

Filed: January 20, 2000

Compliance with the Clean Air Act.

The Florida Industrial Power Users Group's Petition to Intervene

The Florida Industrial Power Users Group (FIPUG), pursuant to Rule 28-106.205, Florida Administrative Code, through its undersigned counsel, submits its Petition to Intervene, and in support thereof states:

INTRODUCTION

1. The name and address of the Petitioner is:

Florida Industrial Power Users Group c/o John W. McWhirter, Jr. McWhirter Reeves McGlothlin Davidson Decker Kaufman Arnold & Steen, P.A. 400 North Tampa Street, Suite 2450 Tampa, Florida 33601-3350

2. Copies of all pleadings, notices, and orders in this docket should be provided to:

John W. McWhirter, Jr.
McWhirter Reeves McGlothlin Davidson Decker
Kaufman Arnold & Steen, P.A.
400 North Tampa Street, Suite 2450
Tampa, Florida 33601-3350

Vicki Gordon Kaufman McWhirter Reeves McGlothlin Davidson Decker Kaufman Arnold & Steen, P.A. 117 South Gadsden Street Tallahassee, Florida 32301

DOCUMENT NUMBER-DATE

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3. The affected agency is the Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

SUBSTANTIAL INTERESTS

4. In this docket, Tampa Electric Company (TECo), has petitioned the Commission to consider TECo's proposal to repower certain Gannon units, as well as other environmental actions, to comply with certain environmental requirements. FIPUG is a group of large industrial customers, some of whom receive power from TECo. Electricity is one of the largest variable cost of FIPUG members. FIPUG has a substantial interest in ensuring that TECO proceeds in the most cost-effective and prudent way to supply capacity and energy to its customers. Therefore, FIPUG's substantial interests will be affected by any action the Commission takes in this docket.

DISPUTED ISSUES OF MATERIAL FACT

- 5. Disputed issues of material fact include, but are not limited to, the following:
 - a. Whether TECO has adequately and properly evaluated all alternatives to its proposal;
- b. Whether TECo's proposal is the most cost-effective way to meet its environmental obligations.

ULTIMATE FACTS

- 6. Ultimate facts include, but are not limited to, the following:
 - a. The Commission should ensure that TECo proceeds in the most cost-effective manner to comply with its environmental obligations.

WHEREFORE, FIPUG requests that the Commission grant its petition to intervene and that it be accorded full party status in this docket.

John W. McWhirter, Jr.

McWhirter Reeves McGothlin Davidson Decker Kaufman Arnold & Steen, P.A. 400 North Tampa Street, Suite 2450 Tampa, Florida 33601-3350

Vicki Gordon Kaufman McWhirter Reeves McGlothlin Davidson Decker Kaufman Arnold & Steen, P.A. 117 South Gadsden Street Tallahassee, Florida 32301

Attorneys for the Florida Industrial Power Users Group

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing FIPUG Petition to Intervene has been furnished by (*) hand delivery and U.S. Mail to the following this 20th day of January, 1999:

(*) Robert V. Elias Florida Public Service Commission Division of Legal Services 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

Lee L. Willis James D. Beasley Ausley & McMullen Post Office Box 391 Tallahassee, FL 32302

Roger Howe Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, #812 Tallahassee, FL 32399-1400

Vicki Gordon Kaufman