MCWHIRTER REEVES

TAMPA OFFICE: 400 NORTH TAMPA STREET, SUITE 2450 TAMPA, FLORIDA 33602 P. O. BOX 3350 TAMPA, FL 33601-3350 (813) 224-0866 (813) 221-1854 FAX PLEASE REPLY TO:

TALLAHASSEE

TALLAHASSEE OFFICENT 117 SOUTH GADSDEN TALLAHASSEE, PLORIDA 32301 (850) 222-2525 (850) 222-5606 FAX

September 8, 2000

VIA HAND DELIVERY

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

Re: Docket No.: 001148-EI

Dear Ms. Bayo:

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

The Florida Industrial Power Users Group's 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.

Sincerely,

Wicki Gordon Kaufman

VGK/bae Enclosure

RECEIVED & FILED

WALL OF RECORDS

DOCUMENT NUMBER-DATE

McWhirter, Reeves, McGlothlin, Davidson, Decker, Kaufman, Arnold & Steen, PA5 SEP -8 5

Done 9/11/10

FPSC-RECORDS/REPORTING



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Florida Power & Light Company's proposed merger with Entergy Corporation, the formation of a Florida transmission company ("Floria transco"), and their effect on FPL's retail rates.

Docket No. 001148-EI Filed: September 8, 2000

The Florida Industrial Power Users Group's Petition to Intervene

The Florida Industrial Power Users Group (FIPUG), pursuant to rules 25-22.039 and 28-106.205, Florida Administrative Code, hereby files its Petition to Intervene in this docket. As grounds therefore, FIPUG states:

1. The name, address and telephone number of 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 813 224-0866

2. The name, address and telephone number of Petitioner's representatives for purposes of service during the course of the proceeding is:

John W. McWhirter, Jr.
McWhirter, Reeves, McGlothlin, Davidson, Decker
Kaufman, Arnold & Steen, P.A.
400 North Tampa Street, Suite 2450
Tampa, Florida 33601-3350
813 224-0866

Joseph A. McGlothlin
Vicki Gordon Kaufman
McWhirter, Reeves, McGlothlin, Davidson, Decker
Kaufman, Arnold & Steen, P.A.
117 South Gadsden
Tallahassee, Florida 32301
850 222-2525

- 3. FIPUG is a group of industrial customers, some of whom take service from Florida Power and Light Company (FPL). Electricity represents one of FIPUG's members' largest variable costs. Therefore, FIPUG will be substantially affected by any action the Commission takes in this docket.
- 4. The affected agency is the Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.
- 5. In this docket, the Commission will investigate the earnings of FPL, including the affect of the merger of FPL with Entergy Corporation.
 - 6. Disputed issued of material fact include, but are not limited to, the following:
 - a. The effect of the proposed merger on FPL's earnings.
 - b. The effect of the proposed merger on FPL's market power.
 - 7. Ultimate facts include, but are not limited to, the following:
 - a. The merger's impact must be considered in assessing FPL's earnings and market dominance.

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.

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850 222-2525

Attorneys for the Florida Industrial Power Users Group

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct opy of the foregoing FIPUG Petition to Intervene has been furnished by (*) hand delivery and U.S. Mail to the following this 8th day of September, 2000:

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

Matt Childs Steel Hector & Davis 215 South Monroe Street Suite 601 Tallahassee, Florida 32301

James J. Presswood, Jr.
Legal Environmental Assistance Foundation
1114 Thomasville Road
Tallahassee, Florida 32303-6290

John R. Howe c/o The Florida Legislature 111 West Madison Street Suite 812 Tallahassee, Florida 32399-1400

Vicki Gordon Kaufman