

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery  
clause with generating performance incentive  
factor.

DOCKET NO. 070001-EI  
ORDER NO. PSC-07-0839-PCO-EI  
ISSUED: October 17, 2007

ORDER GRANTING INTERVENTION

By petition filed October 5, 2007, the Federal Executive Agencies (FEA) requested permission to intervene in this proceeding. FEA states that it consists of certain agencies of the United States Government which have offices, facilities, and/or installations in the service area of the utility which has filed for recovery of costs in this docket, and which offices, facilities, and/or installations purchase electric utility service from the utility which has filed for recovery of costs in this docket. According to FEA, the Department of Defense has been delegated authority by the General Services Administration to represent, through the Department of the Air Force counsel, the consumer interest of the FEA in this proceeding.

FEA alleges that chief among these Federal customers in terms of customer load, are Patrick AFB, Cape Canaveral AFS, and Kennedy Space Center, served by Florida Power and Light (FPL). FEA asserts that electricity costs represent one of the largest variable expenses of operating the Federal offices, facilities, and installations on whose behalf intervention is sought. FEA states that all will be significantly affected by any action the PSC takes in this docket. FEA concludes that it has a substantial interest in the proceedings in this docket. No response was filed to FEA's petition.

Having reviewed the Petition, it appears that the Federal Executive Agencies may intervene because it is a party whose substantial interests may be affected by this proceeding. No party expressed opposition to FEA's request to intervene, and the time for doing so has elapsed. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, FEA takes the case as it finds it.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition to Intervene filed by the Federal Executive Agencies is hereby granted. It is further

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings, and other documents which may hereinafter be filed in this proceeding, to:

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

Lieutenant Colonel Karen White  
Captain Damund Williams  
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By ORDER of the Florida Public Service Commission this 17th day of October, 2007.

  
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ANN COLE  
Commission Clerk

( S E A L )

LCB

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Commission Clerk, Office of Commission Clerk, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.