

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In Re: Petition for Determination of
Need for Levy Units 1 and 2 Nuclear
Power Plants.**)
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Docket No: 080148-EI

Submitted for Filing: March 28, 2008

**PROGRESS ENERGY FLORIDA, INC'S RESPONSE TO
PETITION TO INTERVENE OF WHITE SPRINGS AGRICULTURE
CHEMICALS, INC. D/B/A PSC PHOSPHATE – WHITE SPRINGS**

Progress Energy Florida (“PEF” or the “Company”), pursuant to Rules 28-106.204 and 28-106.205, F.A.C., files its response to the petition to intervene filed by White Springs Agriculture Chemicals, Inc. d/b/a PCS Phosphate – White Springs (“White Springs”) on March 21, 2008 and states:

1. PEF does not object to White Springs’ intervention, but PEF does not agree with or support the issues as framed by White Springs in their alleged disputed issues of material fact in White Springs’ petition to intervene.

2. The Florida Legislature set forth the issues to be determined in this proceeding in Section 403.519(4), Florida Statutes, as amended. The tentative issues list, which is attached as Appendix A to the Order Establishing Procedure, Order Number PSC-08-0151-PCO-EI, accurately reflects these issues as set forth in Section 403.519, Florida Statutes. Nothing more is needed or at issue in this proceeding.

WHEREFORE, PEF respectfully responds that PEF does not oppose White Springs’ intervention but the issues in this proceeding have been determined by the Florida Legislature in Section 403.519, Florida Statutes, and they are set forth in the tentative issues list attached to the Order of Procedure.

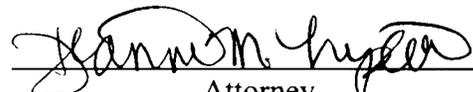
Respectfully submitted this 28th day of March, 2008.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY a true and correct copy of the foregoing has been furnished to counsel and parties of record as indicated below via U.S. Mail this 28th day of March, 2008.


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