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**From:** Mike Twomey [miketwomey@talstar.com]  
**Sent:** Wednesday, October 08, 2008 9:47 AM  
**To:** Filings@psc.state.fl.us  
**Subject:** Electronic filing in Docket No. 080317-EI

**Attachments:** AARP Petition to Intervene in Docket 080317-EI.pdf



AARP Petition  
o Intervene in ..

a. Person responsible for this electronic filing:

Michael B. Twomey  
PO Box 5256  
Tallahassee, Fl 32314-5256  
850-421-9530

b. Docket No. 080317-EI

Re: Petition for rate increase by Tampa Electric Company

c. Document being filed on behalf of AARP

d. There are a total of 5 pages.

e. The document attached for electronic filing is the AARP Petition to Intervene.

Thank you for your attention and cooperation to this request.

Mike Twomey

*Dmw  
10/8/08  
R. J. H.*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for rate increase by Tampa )  
Electric Company. )

DOCKET NO. 080317-EI  
FILED: October 8, 2008

**AARP PETITION TO INTERVENE**

Pursuant to Sections 120.569 and 120.57(1), Florida Statutes and Rules 25-22.039, and 28-106.205, Florida Administrative Code, AARP, through its undersigned attorney, files its Petition to Intervene and in support thereof, states as follows:

1. The name and address of the affected agency is:

Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

2. The name and address of the petitioner is:

AARP  
200 West College Street  
Tallahassee, Florida 32301

3. All pleadings, motions, orders and other documents directed to the petitioner

should be served on:

Michael B. Twomey  
Post Office Box 5256  
Tallahassee, Florida 32314-5256  
Phone: (850) 421-9530  
Email: [miketwomey@talstar.com](mailto:miketwomey@talstar.com)

4. Tampa Electric Company is a regulated electric utility serving approximately 667,000 retail customers in the State of Florida, including in Hillsborough and portions of Polk, Pasco, and Pinellas counties.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

5. AARP is a nonprofit membership organization dedicated to addressing the needs and interests of persons 50 and older. AARP has staffed offices in all 50 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands. AARP represents more than 40 million members in total, over 3 million of whom reside in the state of Florida. AARP's Florida members reside throughout the state and a significant number of them are retail residential customers of Tampa Electric Company.

**AARP Florida Members' Substantial Interests Affected**

6. As stated above, AARP has approximately 3 million members in the state of Florida, a significant number of whom reside in Tampa Electric Company's service territory and take their electric service from the utility. Therefore, many of AARP's members will be substantially affected by any action the Commission takes in this docket, which will necessarily include retail base rate increases if all, or any portion, of the \$228.2 million annual base rate increase being sought by Tampa Electric Company is granted.

7. Statement of Affected Interests

The Commission will decide in this docket whether it should approve all, or a portion, of the \$228.2 million annual base rate increase being sought by Tampa Electric Company in this proceeding. The Commission's approval of all, or even a portion, of the annual revenue increase will necessarily result in a significant increase in residential electric rates and in the monthly bills of AARP members and other residential customers served by Tampa Electric Company. These increased electric bills, if approved, will very likely result in reduced amounts of money for many of these residential customers for the purchase of housing, food, medicines, insurances and other necessities, especially for those customers living on fixed or low incomes. Additionally, AARP

believes that the rate design proposed by Tampa Electric Company is more equitable to residential customers than that currently utilized and would urge that it be adopted irrespective of whether the utility is granted any of the revenue increase requested.

8. Consequently, AARP's members taking retail electric service from Tampa Electric Company have interests of the type this proceeding is designed to protect. See Agrico Chemical Company v. Department of Environmental Regulation, 406 So.2d 478 (Fla. 2<sup>nd</sup> DCA 1981).

9. Disputed Issues of Material Fact.

AARP believes that the disputed issues of material fact in this proceeding will include, but not necessarily be limited to, the following:

- a. What are the appropriate jurisdictional values for the utility's Plant in Service, Accumulated Depreciation, and Rate Base for setting its retail rates in this proceeding?
  - b. What are the appropriate jurisdictional values of the utility's operation and maintenance expenses for setting its retail rates in this proceeding?
  - c. What is the appropriate capital structure for the utility for the purpose of setting its retail rates in this proceeding?
  - d. What is the appropriate rate of return on equity for the utility for setting its retail rates in this proceeding?
  - e. What are the appropriate rates to be charged by the utility for its services?
  - f. What are the appropriate rate design and rate structures for setting retail rates in this proceeding?
- and
- g. What are the appropriate amounts to be included in the utility's base rates for its storm restoration accrual and what is the appropriate level for its approved storm damage reserve?

10. Statement of Ultimate Facts Alleged.

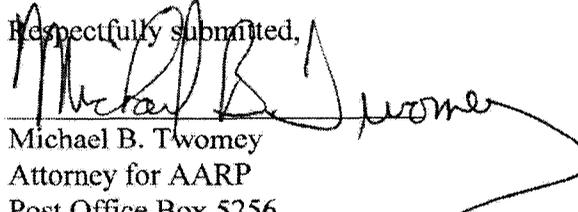
Tampa Electric Company has the burden to prove that it is entitled to any rate relief, and to prove that requirement Tampa Electric Company must prove that its existing rates and charges are not fair, just and reasonable.

11. Statutes and Rules that Require the Relief Requested by AARP.

Statutes and rules that require the relief requested by AARP include, but are not limited to, Sections 120.569, 120.57(1), 366.04(1), 366.041, 366.05(1), 366.06(1) and (2), 366.07, and 403.519, Florida Statutes, and Rule 25-22.039 and Chapter 28-106, Florida Administrative Code.

WHEREFORE, AARP requests that this Commission grant it intervenor status in this docket as a full party on behalf of the significant number of its approximately 3 million Florida members taking retail electric service from Tampa Electric Company.

Respectfully submitted,

  
Michael B. Twomey  
Attorney for AARP  
Post Office Box 5256  
Tallahassee, Florida 32314-5256  
Telephone: 850-421-9530  
Email: [miketwomey@talstar.com](mailto:miketwomey@talstar.com)

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of this petition has been served by

U.S. Mail and electronic mail this 8th day of October, 2008 on the following:

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