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Subject: AIF Re-Executed Petition To Intervene
Attachments: AIF re-executed petition to intervene.pdf

Attached is AIF's Re-Executed Petition to Intervene as requested by the Public Service Commission Clerk. Unless specifically requested by a party of record, paper copies of this document will not be distributed to the parties of record via US Mail.

Thank you for your time and attention.



ASSOCIATED INDUSTRIES OF FLORIDA

The Voice of Florida Business Since 1920

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FPSC-COMMISSION CLERK

AIF believes that the Commission and Florida customers should welcome FPL's forward-thinking efforts to invest in electric infrastructure. FPL's proposal will make Florida's infrastructure stronger, more storm resistant, smarter, better controlled, more reliable, more fuel efficient and more environmentally friendly. Moreover, AIF also views FPL's investments as a much-needed Florida economic stimulus package providing direct employment for many Florida residents as well as numerous business opportunities for many Florida businesses, including AIF members.

AIF supports a rate increase for FPL and the investments in Florida it will make possible for several reasons. In addition to the shorter term beneficial economic effects of building new and improved electric infrastructure, these investments will have much longer-term beneficial effects for all of AIF's members and all Floridians. Construction and operation of the improved facilities proposed by FPL, as well as FPL's continued provision of reliable, affordable electric service, will provide essential support AIF's members need in order to maintain and expand their own businesses that in turn employ many thousands of Florida residents. AIF notes that FPL's electric rates are lower than those of utilities in most major metropolitan areas in the United States -- a key factor considered by businesses when deciding where to invest and where to employ people -- which will also help economic growth and economic recovery.

Fundamentally, AIF's members require adequate, reasonably priced electricity in order to conduct their business consistently with the needs of their customers and ownership. AIF endorses environmental and economic regulatory policies that create a stable investment climate so that electric utilities such as FPL can build and operate energy generation, transmission and distribution systems to meet Florida's energy needs. To this end, AIF encourages the Florida Public Service Commission to ensure that through the rates granted in this proceeding FPL

remains competitive in the current uncertain capital markets and is able to attract the investor dollars needed to support the beneficial investments in Florida described above.

In further support of its Petition to Intervene, AIF states as follows:

1. The name, address, and telephone number of the Petitioner are as follows:

Associated Industries of Florida
516 North Adams Street
Tallahassee, Florida 32301
Phone: 850-224-7173
Fax: 850-224-6532

2. All pleadings, orders and correspondence should be directed to Petitioner's representative is as follows:

Tamela Ivey Perdue, Esq.
Associated Industries of Florida
516 North Adams Street
Tallahassee, FL 32301
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3. The agency affected by this Petition to Intervene is:

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

4. AIF respectfully petitions for intervention in the Commission's proceeding to determine the need for a base rate increase of Florida Power & Light Company. AIF is an established association representing thousands of Florida companies, many of whom are retail customers of FPL. AIF's mission is to represent the business community before elected and appointed officials of state government on those issues of interest to the business community. AIF's members require adequate, reasonably priced electricity in order to conduct their business consistently with the needs of their customers and ownership. AIF supports environmental and

economic regulatory policies that create a stable investment climate so that electric utilities such as FPL can build and operate energy generation, transmission and distribution systems to meet Florida's energy needs.

5. As the representative of its many members who are FPL retail customers, AIF's and its members' substantial interests will be affected by any action that the Commission takes in this docket. In this docket, the Commission will decide whether to approve FPL's request for a base rate increase. The Commission's decision will have a real and immediate impact on the amounts paid by AIF members for electricity and equally as important, the quality and quantity of electric service available for AIF members to sustain and to grow their businesses.

6. AIF's substantial interests are of sufficient immediacy to entitle it to participate in this proceeding and are the type of interests that the proceeding is designed to protect.

Ameristeel Corp. v. Clark, 691 So. 2d 473 (Fla. 1997); Agrico Chemical Co. v. Department of Environmental Regulation, 406 So. 2d 478 (Fla. 2d DCA 1981), rev denied, 415 So. 2d 1359 (Fla. 1982). Here, AIF has members who are retail electric customers of FPL, and these members' substantial interests will be directly affected by the Commission's decisions regarding FPL's base rate increase. Thus, the interests that AIF seeks to protect are of sufficient immediacy to warrant intervention, and the nature of its members' interests in having the Commission ensure that AIF's members are provided adequate, reasonably priced electricity is the type of interest that this proceeding is designed to protect.

7. AIF satisfies the requirements for associational standing set forth in Florida Home Builders Ass'n v. Dep't of Labor and Employment Security, 412 So. 2d 351, 353-54 (Fla. 1982). A substantial number of AIF's members are located in FPL's service area and receive their electric service from FPL, for which they are charged FPL's applicable retail rates. AIF exists to

represent its members' interests in a number of venues, including the Florida Public Service Commission. Finally, the relief requested – intervention and approval of the base rate increase consistent with the Commission's governing law – is relief that will apply to all of AIF's members. Therefore, the requested relief is of the type that is appropriate for an association to obtain on behalf of its members.

8. AIF is not aware of any disputed issues of material fact in this proceeding. AIF alleges that the ultimate facts will show that FPL's petition for a base rate increase should be granted in order to enable AIF's customers, and other FPL customers, to receive high quality electric service at a reasonable price. The applicable statutes and rules that entitle AIF to relief include, but are not limited to, Sections 120.569, 120.57(1), 366.04(1), 366.041, 366.05(1), 366.06 (1) & (2), Rule 25-22.039 and Chapter 28-106, Florida Administrative Code.

9. The above-cited sections of Chapter 366 relate to the Commission's jurisdiction over FPL's rates and the Commission's statutory mandate to ensure that FPL's rates are fair, just, and reasonable. The Commission's decision in this proceeding will have a significant impact on the availability of adequate, reasonably priced electricity, and a substantial number of AIF's members will be directly impacted by the Commission's decision regarding FPL's base rate increase. These statutes provide the basis for the relief requested by the AIF.

WHEREFORE, Associated Industries of Florida respectfully requests that the Florida Public Service Commission enter an order granting its Petition to Intervene.

Dated: July 16, 2009

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished electronically and by United States Mail this 16th day of July, 2009 to the following:

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