

# AUSLEY & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

123 SOUTH CALHOUN STREET  
P.O. BOX 391 (ZIP 32302)  
TALLAHASSEE, FLORIDA 32301  
(850) 224-9115 FAX (850) 222-7560

May 24, 2013

HAND DELIVERED

RECEIVED-FPSC  
13 MAY 24 PM 1:54  
COMMISSION  
CLERK

Ms. Ann Cole, Director  
Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Petition for Rate Increase by Tampa Electric Company  
FPSC Docket No. 130040-EI

Dear Ms. Cole:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Withdrawal of Opposition to Petition of WCF Hospital Utility Alliance to Intervene and Request of WCF Hospital Utility Alliance to be Represented by Qualified Representatives.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to this writer.

Thank you for your assistance in connection with this matter.

Sincerely,



James D. Beasley

COM \_\_\_\_\_  
AFD \_\_\_\_\_  
APA \_\_\_\_\_  
ECO 12 \_\_\_\_\_  
ENG \_\_\_\_\_  
GCL 1 \_\_\_\_\_  
IDM \_\_\_\_\_  
TEL \_\_\_\_\_  
CLK \_\_\_\_\_

JDB/pp  
Enclosure  
cc: All Parties of Record (w/enc.)

DOCUMENT NUMBER-DATE

02886 MAY 24 2013

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Rate Increase            )  
by Tampa Electric Company.                )  
\_\_\_\_\_ )

DOCKET NO. 130040-EI  
FILED: May 24, 2013

**TAMPA ELECTRIC COMPANY'S WITHDRAWAL OF OPPOSITION  
TO PETITION OF WCF HOSPITAL UTILITY ALLIANCE  
TO INTERVENE AND REQUEST OF WCF HOSPITAL UTILITY  
ALLIANCE TO BE REPRESENTED BY QUALIFIED REPRESENTATIVES**

Tampa Electric Company ("Tampa Electric" or "the company") hereby withdraws its opposition to the Petition to Intervene of the WCF Hospital Utility Alliance ("HUA") and WCF's request to be represented by qualified representatives and, as grounds therefor, says:

1. On May 10, 2013 HUA filed its Petition to Intervene in this proceeding and its request for qualified representation by counsel of the firm Andrews Kurth LLP in Washington, D.C. On May 17, 2013 Tampa Electric file its Memorandum in Opposition to the requested intervention and responded that the request of HUA to be represented by qualified representatives should be denied. Tampa Electric's opposition to HUA's intervention was predicated on the fact that HUA had not disclosed its membership and, therefore, Tampa Electric could not determine whether HUA had standing to represent its alleged members.

2. HUA has subsequently provided Tampa Electric with a list of its members. After reviewing the list, Tampa Electric has decided to withdraw its opposition to HUA's Petition to Intervene and HUA's request to be represented by qualified representatives.

WHEREFORE, Tampa Electric withdraws its opposition to HUA's intervention on behalf of its members in this proceeding and to members of the firm Andrews Kurth LLP representing HUA as qualified representatives in this proceeding.

DOCUMENT NUMBER - DATE  
02886 MAY 24 2013  
FPSC-COMMISSION CLERK

DATED this 24<sup>th</sup> day of May 2013.

Respectfully submitted,



---

JAMES D. BEASLEY  
J. JEFFRY WAHLEN  
KENNETH R. HART  
ASHLEY M. DANIELS  
Ausley & McMullen  
Post Office Box 391  
Tallahassee, Florida 32302  
(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Withdrawal, filed on behalf of Tampa Electric Company, has been furnished by email or hand delivery(\*) on this 24<sup>th</sup> day of May 2013 to the following:

Martha Barrera\*  
Martha Brown  
Suzanne Brownless  
Office of General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850  
[mbarrera@psc.state.fl.us](mailto:mbarrera@psc.state.fl.us)  
[mbrown@psc.state.fl.us](mailto:mbrown@psc.state.fl.us)

J. R. Kelly, Public Counsel  
Patricia G. Christensen  
Associate Public Counsel  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400  
[kelly.jr@leg.state.fl.us](mailto:kelly.jr@leg.state.fl.us)  
[christensen.patty@leg.state.fl.us](mailto:christensen.patty@leg.state.fl.us)

Jon C. Moyle, Jr.  
Moyle Law Firm, P.A.  
The Perkins House  
118 North Gadsden Street  
Tallahassee, FL 32301  
[jmoyle@moylelaw.com](mailto:jmoyle@moylelaw.com)

Robert Scheffel Wright  
John T. Lavia, III  
Gardner, Bist, Wiener, Wadsworth, Bowden,  
Bush, Dee, LaVia & Wright, P.A.  
1300 Thomaswood Drive  
Tallahassee, FL 32308  
[schef@gbwlegal.com](mailto:schef@gbwlegal.com)  
[jlavia@gbwlegal.com](mailto:jlavia@gbwlegal.com)

Gregory J. Fike, Lt Col, USAF  
AFLOA/JACL-ULFSC  
139 Barnes Drive, Suite 1  
Tyndall Air Force Base, Florida 32403  
[gregory.fike@tyndall.af.mil](mailto:gregory.fike@tyndall.af.mil)

Kenneth L. Wiseman  
Mark F. Sundback  
Lisa M. Purdy  
William M. Rappolt  
Blake R. Urban  
Andrews Kurth LLP  
1350 I Street NW, Suite 1100  
Washington, D. C. 20005  
[kwiseman@andrewskurth.com](mailto:kwiseman@andrewskurth.com)  
[msundback@andrewskurth.com](mailto:msundback@andrewskurth.com)  
[lpurdy@andrewskurth.com](mailto:lpurdy@andrewskurth.com)  
[wrappl@andrewskurth.com](mailto:wrappl@andrewskurth.com)  
[burban@andrewskurth.com](mailto:burban@andrewskurth.com)

  
\_\_\_\_\_  
ATTORNEY