# MCWHIRTER REEVES

ORIGINAL

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PLEASE REPLY TO: TALLAHASSEE TALLAHASSEE OFFICE: 117 SOUTH GADSDEN TALLAHASSEE, FLORIDA 32301 (850) 222-2525 (850) 222-5606 FAX

January 29, 1999

## VIA HAND DELIVERY

Blanca S. Bayo, Director Division of Records and Reporting Gunter Building 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0870

Re: Docket No. 990067-EI

Dear Ms. Bayo:

Enclosed for filing and distribution are the original and fifteen copies of Florida Industrial Power Users Group's Petition to Intervene in the above docket.

Please acknowledge receipt of the above on the extra copy enclosed herein and return it to me. Thank you for your assistance.

Sincerely, ACK AFA Vicki Gordon Kaufman APP CAF -VGK/pw CMU \_ Encls. CTR \_ EAG \_d LEG \_1 LIN OPC RCH \_ SEC Done 3/01/99 WAS DOCUMENT NULBER-DATE 01191 JAN 29 8

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#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for a full revenue	)	Docket No. 990067-EI
requirements case for Florida Power &	)	
Light Company.	)	Filed: January 29, 1999

# THE FLORIDA INDUSTRIAL POWER USERS GROUP'S PETITION TO INTERVENE

The Florida Industrial Power Users Group (FIPUG) hereby petitions to intervene in the above docket. As grounds therefor, FIPUG states:

The name and address of Petitioner is:

The Florida Industrial Power Users Group c/o John W. McWhirter, Jr. McWhirter Reeves 400 North Tampa Street, Suite 2450 (33602-5126) Post Office Box 3350 Tampa, Florida 33601-3350

Joseph A. McGlothlin Vicki Gordon Kaufman McWhirter Reeves 117 South Gadsden Street Tallahassee, Florida 32301

2. All pleadings, orders and correspondence should be directed to:

The Florida Industrial Power Users Group c/o John W. McWhirter, Jr. McWhirter Reeves 400 North Tampa Street, Suite 2450 (33602-5126) Post Office Box 3350 Tampa, Florida 33601-3350

Joseph A. McGlothlin Vicki Gordon Kaufman McWhirter Reeves 117 South Gadsden Street Tallahassee, Florida 32301

2. In this docket, the Office of Public Counsel (OPC) has petitioned the Commission

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to conduct a full revenue requirements case for Florida Power & Light Company (FPL). Among other things, OPC has requested that monies be held subject to refund and that a hearing be held to set fair, just and reasonable base rates and charges for FPL.

- 3. FIPUG is an organization of large industrial consumers; members of FIPUG are FPL customers. The cost of electricity constitutes one of FIPUG's members' largest variable costs. As consumers of large amounts of electricity, FIPUG members have a substantial interest in this docket.
- 4. As noted in OPC's petition, FPL has not had a rate case since 1984. It is time for the Commission to examine FPL's rates, charges and return on equity (ROE) in a comprehensive proceeding, like the one OPC seeks.
- FIPUG's interests will be substantially affected by the action the Commission takes in this docket.

WHEREFORE, FIPUG requests that the Commission grant FIPUG's petition to intervene and accord it full party status in this docket.

John W. McWhirter, Jr.

Joseph A. McGlothlin

Vicki Gordon Kaufman

McWhirter, Reeves, McGlothlin, Davidson, Decker, Kaufman,

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117 South Gadsden Street

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400 North Tampa Street

Saite 245 (3602-5126)

Post Office Nox 3350

Tampa, Florida 33601-3350

Actorneys for the Florida Industrial Power Users Group

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of FIPUG's foregoing Petition to Intervene has been furnished by hand delivery (\*) or by U.S. Mail to the following parties of record this 29th day of January, 1999:

Robert V. Elias\*
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Gunter Building, Room 370N
Tallahassee, Florida 32399-0850

Matthew M. Childs Steel Hector & Davis 215 South Monroe Street Suite 601 Tallahassee, Florida 32301-1804

John Roger Howe Office of Public Counsel c/o The Florida Legislature 111 West Madison Street Room 812 Tallahassee, Florida 32399-1400 Ronald C. LaFace Greenberg Traurig, P.A. 101 East College Avenue Tallahassee, Florida 32301

J. Michael Huey Huey Guilday & Tucker 106 East College Avenue Suite 900 (32301) Post Office Box 1794 Tallahassee, Florida 32302

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