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Timolyn Henry

From: Browne, Maria [MariaBrowne@dwt.com]
Sent: Wednesday, June 13, 2007 4:29 PM
To: Filings@psc.state.fl.us
Subject: Petition to Intervene Docket No. 070300-EI
Attachments: Petition to Intervene (Docket No. 070300-EI).pdf

Office of Commission Clerk,

Please see the attached Petition to Intervene being filed on behalf of the Florida Cable Telecommunication Association, Inc. in Docket No. 070300-EI. The total number of pages is three (3). Please do not hesitate to contact me with any questions you may have concerning this filing.

Sincerely,

Maria Browne | Davis Wright Tremaine LLP

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, Florida Administrative Code, submitted by Florida Public Utilities Company.

Docket No. 070300-EI

Filed: June 13, 2007

Petition to Intervene

Pursuant to Rule 25-22.039, Florida Administrative Code, the Florida Cable Telecommunications Association, Inc. ("FCTA") respectfully asks that the Commission allow FCTA to intervene in this proceeding, and in support thereof, states as follows:

1. The FCTA is a non-profit trade association representing the cable telecommunications industry in the State of Florida, cable companies providing cable services and information services in the State of Florida, as well as certificated competitive local exchange carriers ("CLECs") providing voice communications services in the State of Florida ("FCTA members"). The FCTA's business address is 246 E. 6th Avenue, Tallahassee, FL 32303.

2. The name and address of the person authorized to receive all notices, pleadings and other communications in this Docket is:

Maria T. Browne, Esquire
Davis Wright Tremaine LLP
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3. Cable systems, including those of FCTA members, distribute service through a community along lines and cables that extend either above ground attached to utility poles or below ground through conduits and trenches. The FCTA members attach their facilities to poles owned by Florida IOUs, including Florida Public Utilities Company ("FPUC"), and have

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existing agreements with FPUC for attachments to such poles. As such, FCTA members are "third party attachers" as contemplated by Rule 25-6.0342, Florida Administrative Code, and their substantial interests will necessarily be directly and profoundly impacted by the Commission's decision with regard to FPUC's Storm Hardening Plan in this Docket. Furthermore, FCTA has associational standing to participate in this proceeding representing the interests of its members, a substantial number of whom would otherwise have the right to participate individually in this matter. See Hunt v. Washington State Apple Advertising Commission, 432 U.S. 333 (1977); and Florida Home Builders Ass'n. v. Dept. of Labor, 412 So. 2d 351 (Fla. 1982).

Respectfully submitted this 13th day of June, 2007.

By: /s/ Maria T. Browne
Maria T. Browne, Esquire
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Tel: (202) 973-4281

Attorney for FCTA

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Florida Cable Telecommunication Association, Inc.'s Petition to Intervene has been served upon Florida Public Utility Company through its attorney, Norman H. Horton, Messer Law Firm, P.O. Box 15579, Tallahassee, 32317, and that a copy has also been provided via Hand Delivery or US Mail to the persons listed below this 13th day of June, 2007:

Mr. John English
P. O. Box 3395
West Palm Beach, FL 33402-3395

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c/o Ms. Nancy H. Sims
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