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August 1, 2007

Ms. Ann Cook, Director  
Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Conference Center, Room 110  
Tallahassee, Florida 32399-0850

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COMMISSION CLERK  
R.V.N.

Re: Docket No. 070393-EI

Dear Ms. Bayo:

Enclosed for filing in the above referenced docket on behalf of Progress Energy Florida, Inc. ("PEF") and Tampa Electric Company ("Tampa Electric") are the original and fifteen copies of the following documents:

- 1. Petition for Determination of Need for Transmission Line;
- 2. Joint Prefiled Direct Testimony of Brantley Tillis and Thomas J. Szelistowski with Exhibits BT/TJS-1 through 10;
- 3. Tampa Electric Company and Progress Energy Florida's Request for Confidential Classification and Confidential Exhibit BT/TJS-10.

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06593-07

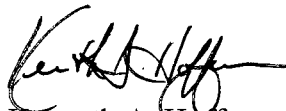
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CMP \_\_\_\_\_  
COM 3  
CTR original testimony  
ECR \_\_\_\_\_  
GCL 2  
OPC \_\_\_\_\_  
RCA \_\_\_\_\_  
SCR \_\_\_\_\_  
SGA KAH/rl  
SEC Enclosures  
OTH \_\_\_\_\_

If you have any questions, please do not hesitate to contact me. Thank you for your assistance with this filing.

Sincerely,

  
Kenneth A. Hoffman

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

**RUTLEDGE, ECENIA, PURNELL & HOFFMAN**

Ms. Ann Cole, Director

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August 1, 2007

cc: Martha Carter Brown, Esq.

Keino Young, Esq.

Lee L. Willis, Esq.

James D. Beasley, Esq.

progressenergy/lake agnes\coleaugust 01 07tr

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Determination of Need for	)	
Lake Agnes-Gifford 230 kV transmission line	)	Docket No. 070393-EI
in Polk and Orange Counties, by Progress	)	
Energy Florida and Tampa Electric Company.	)	Filed: August 1, 2007
_____	)	

**PETITION FOR DETERMINATION OF  
NEED FOR TRANSMISSION LINE**

Petitioners Progress Energy Florida (“PEF”) and Tampa Electric Company (“Tampa Electric”), hereinafter referred to collectively as the “Companies”, by and through their undersigned counsel, hereby petition the Florida Public Service Commission (“Commission”) to determine, pursuant to Section 403.537, Florida Statutes (2006), and Rules 25-22.075 and 25-22.076, Florida Administrative Code, that there is a need for the proposed electrical transmission line described herein. In support of their Petition, the Companies state:

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

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

2. Progress Energy Florida is an investor-owned electric utility that provides electric service to customers in its service area. PEF’s full name and business address are:

Progress Energy Florida, Inc.  
 100 Central Avenue  
 St. Petersburg, FL 33701

3. Tampa Electric is an investor-owned electric utility that provides electric service to customers in its service area. Tampa Electric’s full name and business address are:

Tampa Electric Company  
 Post Office Box 111  
 Tampa, Florida 33601

DOCUMENT NUMBER-DATE

06592 AUG-1 8

FPSC-COMMISSION CLERK

4. All pleadings, motions, notices, staff recommendations, orders and other documents filed or served in this proceeding should be served upon the following individuals on behalf of the Companies:

Paula K. Brown  
Administrator, Regulatory Affairs  
Tampa Electric Company  
Post Office Box 111  
Tampa, Florida 33601  
Telephone: (813) 228-1444

Kenneth A. Hoffman, Esq.  
Rutledge, Ecenia, Purnell & Hoffman, P.A.  
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Deputy General Counsel - Florida  
P. O. Box 14042  
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Mr. Paul E. Lewis, Jr.  
Director, Florida Regulatory Affairs  
Progress Energy Florida, Inc.  
106 East College Avenue  
Suite 800  
Tallahassee, FL 32301-7740  
(850) 222-8738 (Telephone)  
(850) 222-9768 (Telecopier)

5. The Companies propose to construct and operate a 230 kV electrical transmission line as described in the prepared testimony and exhibit of Brantley Tillis which is attached hereto and incorporated herein by reference. The proposed transmission line would originate at Tampa Electric's Lake Agnes Substation in Polk County and would terminate at PEF's planned Gifford Substation in Orange County (the "Lake Agnes-Gifford Project").

6. The Lake Agnes-Gifford Project is subject to the Transmission Line Siting Act ("TLSA"), Sections 403.52-403.5365, Florida Statutes (2006).

7. Pursuant to the TLSA and Section 403.537, Florida Statutes (2006), and Rules 25-22.075 and 25-22.076, Florida Administrative Code, the Commission has jurisdiction to determine the need for the Lake Agnes-Gifford Project, applying the standards set forth in Section 403.537(2)(c), Florida Statutes (2006).

8. The information required to be supplied for the need determination pursuant to Rule 25-22.076, Florida Administrative Code, is set forth in the Joint Prefiled Direct Testimony of Brantley Tillis (PEF) and Thomas J. Szelistowski (Tampa Electric) and supporting exhibits.<sup>1</sup> Fifteen (15) copies of this Petition with said testimony and exhibits are filed herewith.

9. The Companies are charged with serving both their existing customers and new customers that locate in their service territory as well as any wholesale transmission customers. Currently, the Companies forecast continued strong customer and load growth in the territory affected by the proposed Lake Agnes-Gifford Project for the foreseeable future.

10. The data and analyses contained in the prepared testimony and exhibits demonstrate the need for the Lake Agnes-Gifford Project<sup>2</sup> in the proposed time frame as the most cost-effective alternative available, taking into account the demand for electricity, the need for

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<sup>1</sup> Under Rule 25-22.076(3), the Petition shall also include one copy of the complete load flow analysis, including the load forecasts upon which load levels are based. The complete load flow analysis, as well as the supporting documentation, in support of this Petition for Need Determination for the Lake Agnes-Gifford Project, are voluminous and contain the type of data and information that the Commission has consistently determined to be proprietary confidential business information under Section 366.093(3), Florida Statutes. *See, e.g.*, Order No. PSC-06-0631-CFO-EI, issued July 26, 2006 in Docket No. 060424-EI. Accordingly, PEF and Tampa Electric have not filed the complete load flow analysis with this Petition but will make the load flow analysis and all supporting documentation available to the Commission Staff for inspection at its request. PEF and Tampa Electric have filed tables summarizing the results of the load flow diagrams as Confidential Exhibit BT/TJS-10 to the Joint Prefiled Direct Testimony of Brantley Tillis and Thomas J. Szelistowski in support of the Petition.

<sup>2</sup> The need for the Lake Agnes-Gifford Project is demonstrated and documented by the Florida Central Coordinated Re-Study (the "FCCS Re-Study") approved by the Florida Reliability Coordinating Council in July of 2006 and discussed in detail in the Joint Prefiled Direct Testimony of Messrs. Tillis and Szelistowski. As with the complete load flow analysis, the full FCCS Re-Study Report has not been made available to the public (only the Executive Summary of the FCCS Re-Study has been made available to the public). PEF and Tampa Electric will make the full FCCS Re-Study Report available to the Commission Staff for inspection at its request.

electric system reliability and integrity, the need for abundant, low-cost electrical energy to assure the economic well-being of the citizens of this state, the starting and ending points of the line, and other relevant matters pursuant to Section 403.537(1)(c), Florida Statutes (2006).

11. As described in more detail in the Joint Prefiled Direct Testimony of Mr. Tillis and Mr. Szelistowski and the supporting exhibits, the Lake Agnes-Gifford Project is needed in June 2011 to: (a) serve the increasing load and customer base in the Polk County and Greater Metro-Orlando area (“Project Service Area”); and (b) provide additional transmission capability to the existing 230 kV transmission networks in Polk County and Orange County in a reliable manner consistent with North American Electric Corporation (“NERC”), Florida Reliability Coordinating Council (“FRCC”) and other applicable transmission system standards.

12. In order to enable the Companies and the Commission to comply with the notice requirements of Section 403.537(1)(a), Florida Statutes (2006) and Rule 25-22.075, Florida Administrative Code, the Companies previously filed a Notice of Intent to File Petition for Transmission Line Need Determination on June 30, 2007. The Commission has set a final hearing in this docket for September 12, 2007. The Companies have published notice of that hearing in the appropriate newspapers in accordance with the statutory requirements and the requirements of Rule 25-22.076(4), Florida Administrative Code.

WHEREFORE, the Companies respectfully requests that the Commission:

A. Hold a hearing on this Petition in accordance with Section 403.537, Florida Statutes, Chapter 120, Florida Statutes (2006), and applicable rules of the Commission.

B. Determine that there is a need for the Lake Agnes-Gifford Project, with the starting point at Tampa Electric’s Lake Agnes Substation in Polk County and the ending point at PEF’s planned Gifford Substation in Orange County; and

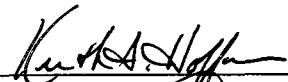
C. Enter a final order determining such need for the Lake Agnes-Gifford Project.

Respectfully submitted this 1<sup>st</sup> day of August, 2007.

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James D. Beasley, Esq.  
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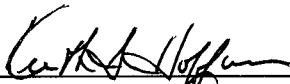
By:   
Kenneth A. Hoffman, Esq.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was furnished by U. S. Mail this 1<sup>st</sup> day of August, 2007 to the following:

Martha Carter Brown, Esq.  
Keino Young, Esq.  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Lee L. Willis, Esq.  
James D. Beasley, Esq.  
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\_\_\_\_\_  
Kenneth A. Hoffman, Esq.