

Ruth Nettles

From: Thomas Saporito [saporito3@gmail.com]
Sent: Saturday, March 07, 2009 11:11 AM
To: Filings@psc.state.fl.us
Cc: Jennifer Brubaker; wade_litchfield@fpl.com; john_butler@fpl.com; rehwickle.charles@leg.state.fl.us; yang.y.song@credit-suisse.com; sugarman@sugarmansusskind.com
Subject: FPL RATE CASE 080677-EI
Attachments: 2009-03-07 Petition for Leave to Intervene.pdf

a. Person responsible for this filing:

Thomas Saporito, President
Saporito Energy Consultants
Post Office Box 8413
Jupiter, Florida 33468-8413
Phone: 561-283-0613
Email: SaporitoEnergyConsultants@gmail.com

b. Docket No. 080677-EI, In re: FPL rate case

c. Document filed on behalf of Saporito Energy Consultants

d. There are a total of xxx pages

e. The document attached for electronic filing is (4) four pages:

Saporito Energy Consultants Petition for Leave to Intervene in Docket No. 080677-EI, FPL Rate Case

Thomas Saporito, President
Saporito Energy Consultants
Post Office Box 8413
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Voice: (561) 283-0613
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3/9/2009

DOCUMENT NUMBER-DATE

01883 MAR-9 8

FPSC-COMMISSION CLERK



Saporito Energy Consultants

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Jupiter, Florida 33468-8413
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Email: SaporitoEnergyConsultants@gmail.com
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March 07, 2009

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

In re: Docket No. 080677-EI, FPL Rate Case - Petition for Leave to Intervene

To Whom It May Concern:

Please take notice that Saporito Energy Consultants ("SEC") by and through and with its undersigned president, Thomas Saporito, hereby submit their Petition for Leave to Intervene in Docket No. 080677-EI.

Respectfully submitted,

Thomas Saporito
President

DOCUMENT NUMBER - DATE

01883 MAR-9 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: FPL Rate Case

Docket No. 080677-EI

Date: 07 MAR 2009

SAPORITO ENERGY CONSULTANTS' PETITION FOR LEAVE TO INTERVENE

Saporito Energy Consultants ("SEC") by and through and with its undersigned president, Thomas Saporito, (hereinafter "SEC" or "Petitioners") hereby submit their Petition for Leave to Intervene in the above-styled proceeding and state as follows:

Commission Rule on Intervention

Commission Rule 25-22.039, Florida Administrative Code (F.A.C.), implements the standards for participation as an intervenor in an administrative proceeding. The rule provides as follows:

Persons, other than the original parties to a pending proceeding, who have a substantial interest in the proceeding, and who desire to become parties may petition the presiding officer for leave to intervene. Petitions for leave to intervene must be filed at least five (5) days before the final hearing, must conform with Uniform subsection 28-106.201(2), F.A.C., and must include allegations sufficient to demonstrate that the intervenor is entitled to participate in the proceeding as a matter of constitutional or statutory right or pursuant to Commission rule, or that the substantial interests of the intervenor are subject to determination or will be affected through the proceeding. Intervenors take the case as they find it.

SAPORITO ENERGY CONSULTANTS' PETITION FOR LEAVE TO INTERVENE

Pursuant to Chapter 120, Florida Statutes, and Rules 25-22.039 and 28-106.205, Florida Administrative Code, Petitioners file this Petition for Leave to Intervene in the above-styled proceeding and state as follows:

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

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

2. The name and address of the Petitioners is:

Saporito Energy Consultants
Thomas Saporito, President
1030 Military Tr. #25
Jupiter, Florida 33458
Voice: (561) 283-0613
Fax: (561) 952-4810
Email: SaporitoEnergyConsultants@gmail.com
Website: www.saporitoenergyconsultants.com

3. Copies of all pleadings, notices, and orders in this docket should be provided to:

Thomas Saporito, President
Saporito Energy Consultants
Post Office Box 8413
Jupiter, Florida 33468-8413
Voice: (561) 283-0613
Fax: (561) 952-4810
Email: SaporitoEnergyConsultants@gmail.com

4. SEC is a viable concern within the State of Florida with a business plan that encompasses the entire State of Florida and the continental United States of America from coast-to-coast. See, www.saporitoenergyconsultants.com

5. Statement of Affected Interests

SEC's interests and that of Thomas Saporito (a Florida Power and Light Company ("FPL") customer and stockholder) will be affected by the Commission's determination in this proceeding. The Commission will decide in this docket whether it should allow FPL to adjust its electric rates and pass the associated costs related to FPL's power plant operations to its customers. Therefore, Petitioners' substantial interests will be affected by this proceeding.

6. Statement of Disputed Issues of Material Fact

At issue is whether FPL improperly misled its rate-payers in its assessment of costs associated with the operation of its existing power plants and whether FPL should be allowed to charge its customers for these costs.

7. Statutes and Rules that Require the Relief Requested by Petitioners

Statutes and rules that require the relief requested by Petitioners include, but are not limited to, Sections the Florida Statutes, and Rules of the Florida Administrative Code.

WHEREFORE, Petitioners' substantial interests are subject to determination in and will be affected by the Commission's decision, and Petitioners are therefore entitled to intervene in this matter. Petitioners request that the Commission enter an order granting its Petition for Leave to Intervene and further request the parties to provide the undersigned with all papers filed in this docket.

Respectfully submitted,



Saporito Energy Consultants
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Email: SaporitoEnergyConsultants@gmail.com

CERTIFICATE OF SERVICE

In re: FPL Rate Case

Docket No. 080677-EI

I HEREBY CERTIFY that a true and correct copy of **SAPORITO ENERGY CONSULTANTS' PETITION FOR LEAVE TO INTERVENE** was served by Electronic Mail this 7th day of March, 2009 to the following:

Jennifer Brubaker, Esq. Staff Attorney

Lisa Bennett, Esq. Staff Attorney
Division of Legal Services
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2540 Shumard Oak Blvd.
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Florida Power & Light Company

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Florida Power & Light Company

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I.B.E.W. System Council U-4

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By:



Thomas Saporito, President