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November 24, 2009

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COMMISSION
CLERK

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

Re: Petition for approval of solar energy power purchase agreement between Tampa Electric Company and Energy 5.0 LLC; FPSC Docket No. 090109-EI

Dear Ms. Cole:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Response to Petition for Leave to Intervene of Mosaic Fertilizer, LLC.

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

JDB/pp
Enclosure

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

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of solar energy)
power purchase agreement between Tampa)
Electric Company and Energy 5.0 LLC.)
_____)

DOCKET NO. 090109-EI

FILED: November 24, 2009

**TAMPA ELECTRIC COMPANY'S RESPONSE
TO PETITION FOR LEAVE TO INTERVENE
OF MOSAIC FERTILIZER, LLC**

Tampa Electric Company ("Tampa Electric" or "the company") files this its response to the Petition for Leave to Intervene filed on behalf of Mosaic Fertilizer, LLC on November 23, 2009 and, says:

1. While Tampa Electric does not oppose Mosaic's participation as an intervenor in this proceeding, the company does wish to respond to certain of the matters asserted by Mosaic as the basis for its participation. First, and foremost, Tampa Electric believes it has demonstrated through discovery responses in this proceeding that the company's 2007 renewable generation request for proposals process from start to finish was conducted in a fair, impartial and non-discriminatory manner. Tampa Electric also believes that its efforts in this regard demonstrate the company's willingness to acknowledge and pursue directions and priorities articulated in recent years by the Office of the Governor, the Legislature, this Commission and the environmental community to take steps to foster a greater reliance upon solar power in Florida.

2. Tampa Electric acknowledges that Mosaic submitted a response to the company's 2007 RFP, although the renewable proposal put forth by Mosaic was not a solar-generated energy offer. Tampa Electric has indicated in this proceeding that it evaluated like kinds of alternative generation by category. In the category of solar-generated energy proposals, the

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Energy 5.0 proposal was the most cost-effective solar proposal the company received in response to the 2007 RFP.

3. Tampa Electric has negotiated and continues to negotiate with other non-solar PV alternative generation providers. The fact that Tampa Electric selected the most cost-effective solar application from among those submitted and put forth that proposal for consideration by the Commission does not lessen Mosaic's opportunity to develop non-solar alternative generation proposals.

4. Many of the cost related issues identified in Mosaic's petition have already been identified as matters the Commission will have to decide in this proceeding and in this regard Mosaic is in no different a posture than all other Tampa Electric customers who would be impacted by the disposition of those issues.

WHEREFORE, Tampa Electric Company submits the foregoing in response to Mosaic's Petition for Leave to Intervene in this proceeding.

DATED this 24th day of November 2009.

Respectfully submitted,



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(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE


I HEREBY CERTIFY that a true and correct copy of the foregoing Response to Petition for Leave to Intervene of Mosaic Fertilizer, LLC, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (*) on this 24th day of November 2009 to the following:

Ms. Jennifer Brubaker*
Senior Attorney
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Mr. Richard A. Zambo
Richard A. Zambo, P.A.
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Energy 5.0 LLC
1601 Forum Place, Suite 1010
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Mr. Robert Scheffel Wright
Mr. John T. LaVia, III
Young van Assenderp, P.A.
225 South Adams Street, Suite 200
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ATTORNEY