



**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Review of Florida Power & Light Company's proposed merger with Entergy Corporation, the formation of a Florida transmission company ("Floria transco"), and their effect on FPL's retail rates.

Docket No. 001148-EI  
Filed: September 8, 2000

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**The Florida Industrial Power Users Group's Petition to Intervene**

The Florida Industrial Power Users Group (FIPUG), pursuant to rules 25-22.039 and 28-106.205, Florida Administrative Code, hereby files its Petition to Intervene in this docket. As grounds therefore, FIPUG states:

1. The name, address and telephone number of Petitioner is:

Florida Industrial Power Users Group  
c/o John W. McWhirter, Jr.  
McWhirter, Reeves, McGlothlin, Davidson, Decker  
Kaufman, Arnold & Steen, P.A.  
400 North Tampa Street, Suite 2450  
Tampa, Florida 33601-3350  
813 224-0866

2. The name, address and telephone number of Petitioner's representatives for purposes

of service during the course of the proceeding is:

John W. McWhirter, Jr.  
McWhirter, Reeves, McGlothlin, Davidson, Decker  
Kaufman, Arnold & Steen, P.A.  
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Joseph A. McGlothlin  
Vicki Gordon Kaufman  
McWhirter, Reeves, McGlothlin, Davidson, Decker  
Kaufman, Arnold & Steen, P.A.  
117 South Gadsden  
Tallahassee, Florida 32301  
850 222-2525

3. FIPUG is a group of industrial customers, some of whom take service from Florida Power and Light Company (FPL). Electricity represents one of FIPUG's members' largest variable costs. Therefore, FIPUG will be substantially affected by any action the Commission takes in this docket.

4. The affected agency is the Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

5. In this docket, the Commission will investigate the earnings of FPL, including the affect of the merger of FPL with Entergy Corporation.

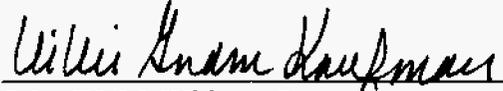
6. Disputed issued of material fact include, but are not limited to, the following:

- a. The effect of the proposed merger on FPL's earnings.
- b. The effect of the proposed merger on FPL's market power.

7. Ultimate facts include, but are not limited to, the following:

- a. The merger's impact must be considered in assessing FPL's earnings and market dominance.

**WHEREFORE**, FIPUG requests that the Commission grant its Petition to Intervene and that it be accorded full party status in this docket.



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Attorneys for the Florida Industrial Power  
Users Group

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing FIPUG Petition to Intervene has been furnished by (\*) hand delivery and U.S. Mail to the following this 8th day of September, 2000:

(\*) Robert V. Elias  
Florida Public Service Commission  
Division of Legal Services  
2540 Shumard Oak Boulevard  
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Vicki Gordon Kaufman