

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Review of Florida Power Corporation's

Docket No. 000824-EI

earnings, including effects of proposed

:

acquisition of Florida Power Corporation

Filed July 6, 2001

by Carolina Power & Light.

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## FLORIDA MUNICIPAL POWER AGENCY'S PETITION TO INTERVENE

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FLORIDA MUNICIPAL POWER AGENCY ("FMPA") hereby petitions to intervene in Docket No. 000824-EI, pursuant to Chapter 366, Florida Statutes, and Rules 25-22.039 and 28-106.205, Florida Administrative Code. In support of this Petition FMPA states:

1. For purposes of this Petition, FMPA may be contacted through its General Counsel, Frederick M. Bryant, Florida Municipal Power Agency, 2061-2 Delta Way, Tallahassee Florida 32303, Telephone No. (850) 297 - 2011.

Pleadings should also be served on Mr. Robert C. Williams, P. E., Director of Engineering, FLORIDA MUNICIPAL POWER AGENCY, 8 5 3 Commodity Circle, Orlando FL 32819-9002. Telephone 407 / 355 - 7767.

2. FMPA is the Petitioner, and is a retail commercial customer of Florida Power Corporation ("FPC" or "Company") at two service locations in Orlando, Florida. FMPA pays FPC for electric power at rates approved by the Florida Public Service Commission ("Commission"). One of FMPA's service locations is its

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headquarters office at 8553 Commodity Circle, Orlando, Florida 32819-9002, Telephone No. (407) 355 - 7767. FMPA is a "person" as defined by Section 1.01 and Section 120.52 (13), Florida Statutes.

- 3. FMPA is also a wholesale power and wholesale transmission customer of FPC. FPC is participating with Florida Power & Light Company ("FPL") and Tampa Electric Company ("TECO") in the formation of a Florida Transmission Company ("GridFlorida"). GridFlorida will substantially impact FMPA's wholesale power and transmission costs from FPC. Certain FMPA members have transmission facilities that are interconnected with FPC transmission facilities. FMPA utilizes FPC transmission facilities to supply wholesale power to its member systems. In addition, FMPA is a transmission owner in the State of Florida with transmission facilities interconnecting with FPC. The reliability of FMPA's transmission and generation facilities will be directly affected by the Commission's decision as to FPC's participation in GridFlorida. The Commission's exercise of its jurisdiction pursuant to Section 366.04(2)(5), Florida Statutes, and Section 366.055, Florida Statutes, in this Docket will substantially affect FMPA.
- 4. In this Docket, the Commission is reviewing FPC's earnings, including the effects on FPC's retail rates from the acquisition of Florida Power Corporation by Carolina Power & Light. The Commission is also reviewing FPC's participation in the formation of GridFlorida and the prudence of FPC in the formation of GridFlorida, its potential effect on Florida's transmission grid, and any cost allocations to FPC's retail rate payers.

- 5. In its June 28, 2001 comments, in FERC Docket ER01-2205, this Commission stated that the determinations to be made by the Federal Energy Regulatory Commission ("FERC") in Docket ER01-2205 "would benefit from the information to be developed in the FPSC dockets," and this Commission requested FERC to consider the outcome of this proceeding. FMPA is a party in FERC Docket ER01-2205. Thus, the data and rate analyses to be developed in this Docket, and furnished by this Commission to FERC in Docket ER01-2205, will also substantially affect FMPA's interest in FERC Docket ER01-2205.
- 6. FMPA will be substantially affected by actions taken by the Commision in this Docket.

For the foregoing reasons, FMPA requests that the Commission grant FMPA's Petition to Intervene and accord FMPA full party status in this Docket.

RESPECTFULLY SUBMITTED on this 6th day of July, 2001.

Frederick M. Bryant, General Counsel FLORIDA MUNICIPAL POWER AGENCY

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## **CERTIFICATE OF SERVICE**

I CERTIFY that the original and fifteen copies of the foregoing Petition to Intervene was furnished by hand-delivery to the Florida Public Service Commission, Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee FL 32399-0850, and that a copy was furnished to each of the parties on the attached service list, by United States mail, on this 6th ay of July, 2001.

Frederick M. Bryant, General Counsel FLORIDA MUNICIPAL POWER AGENCY

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## SERVICE LIST FOR FPSC DOCKET 000824 E1

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Revised by FMPA on 07-05-01