

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Florida Power Corporation's earnings, including effects of proposed acquisition of Florida Power Corporation by Carolina Power & Light.)	DOCKET NO. 000824-EI
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In re: Review of Florida Power & Light Company's proposed merger with Entergy Corporation, the formation of a Florida transmission company ("Florida transco"), and their effect on FPL's retail rates.)	DOCKET NO. 001148-EI
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In re: Review of Tampa Electric Company and impact of its participation in GridFlorida, a Florida Transmission Company, on TECO's retail ratepayers.)	DOCKET NO. 010577-EI
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)	Filed: October 12, 2001

CPV ATLANTIC, LTD.'S POST HEARING BRIEF

CPV Atlantic, Ltd. ("CPV Atlantic"), pursuant to Section IV of the Prehearing Order issued in these proceedings and Rule 28-106.215, Florida Administrative Code, hereby files this Post Hearing Brief of Issues and Positions, and Proposed Findings of Fact and Conclusions of Law.

A. Statement of Basic Position

The Florida Public Service Commission ("Commission") should issue an Order finding the establishment of a regional transmission organization ("RTO") is prudent for Florida utilities that integrate the characteristics and perform the functions of an RTO as set forth in Order No. 2000. An independent RTO, appropriately formed and operated, could successfully address impediments to an efficient, reliable electric transmission grid and could foster wholesale competition which should benefit Florida ratepayers in the form of lower electricity rates.

B. Statement of Issues and Positions

Issue 2:

What are the benefits to Peninsular Florida associated with the utilities' (FPC, FPL, and TECO) participation in GridFlorida?

Post-hearing Position:

*** An RTO, if properly implemented, will provide greater system efficiencies from the existing supply infrastructure, access to a broader array of additional supply options, improve grid reliability via uniform interconnection procedures, and remove impediments to competitive supply entry. ***

Issue 3:

What are the benefits to the utilities' ratepayers of its participation in GridFlorida?

Posthearing Position:

*** An RTO should benefit ratepayers by facilitating enhanced grid reliability, more efficient power supply, and more reliability than the existing local level of system control. Likewise, unified transmission system operation and planning should lower transmission costs through economies of scale and the elimination of duplicative practices. ***

Issue 6:

Is the utilities' decision to participate in GridFlorida prudent?

Post-hearing Position:

Yes.

Issue 7:

What policy position should the Commission adopt regarding the formation of GridFlorida?

Post-hearing Position:

The Commission should adopt an RTO policy that recognizes the benefits of a competitive wholesale power market in Florida and support an independent grid management structure that ensures the development of competitive wholesale generation markets to increase Florida's load access to generation supply and to promote efficiency.

C. Proposed Findings of Fact

The facts adduced at hearing and in the prefiled testimony provide a competent substantial evidence in support of CPV Atlantic, Ltd.'s issues positions stated above.

D. Proposed Conclusions of Law

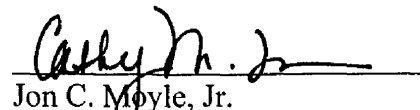
The formation of a GridFlorida Regional Transmission Organization is prudent and reasonable for Florida's shareholders and energy ratepayers.

E. Conclusion:

The GridFlorida proposal is prudent for Florida ratepayers. The utilities' decision to take control of the RTO process on behalf of Florida ratepayers was prudent, because it addresses issues specific to Florida. Consequently, this Commission should grant approval to the GridFlorida applicants and find the utilities joint decision to participate in GridFlorida to be

prudent.

Respectfully submitted this 12th day of October, 2001.

A handwritten signature in cursive script, appearing to read "Jon C. Moyle, Jr.", is written over a horizontal line.

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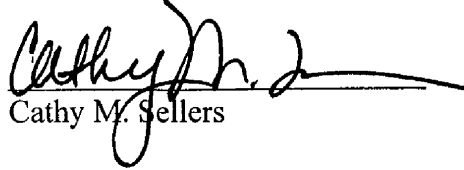
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by U.S. Mail this 12th day of October 2001 to the following persons.


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