

STATE OF FLORIDA

COMMISSIONERS:
LISA POLAK EDGAR, CHAIRMAN
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW



OFFICE OF THE GENERAL COUNSEL
RICHARD D. MELSON
GENERAL COUNSEL
(850) 413-6199

Public Service Commission

December 18, 2006

VIA ELECTRONIC FILING

The Honorable Magalie R. Salas
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: Docket No. RM05-25-000, Preventing Undue Discrimination and Docket No. RM05-17-000, Preference in Transmission Service

Dear Ms. Salas:

Forwarded herewith is a Motion and letter from the Florida Public Service Commission regarding the above dockets.

Sincerely,

/ s /

Cindy Miller
Senior Attorney

CBM:tf

cc: Chuck Gray, National Association of Regulatory Utility Commissioners

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION**

Preventing Undue Discrimination and)	
Preference in Transmission Service)	RM05-25-000
)	RM05-17-000
)	

**MOTION OF FLORIDA PUBLIC SERVICE COMMISSION
FOR LEAVE TO FILE LATE-FILED COMMENTS**

Pursuant to Rules 212 and 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission's (FERC), the Florida Public Service Commission (FPSC) hereby requests leave to file Comments out-of-time in the above-captioned proceeding.

In order to meet in a publicly-noticed and open forum, the FPSC placed this matter on its December 18, 2006 Internal Affairs. Thus, these comments are filed after the discussion at that meeting.

The FPSC, a state public service commission, is given the authority, pursuant to Chapters 350, 366, and 403, Florida Statutes, to regulate electric utilities within the State of Florida, and to exercise the police power of the state for the protection of the public welfare. It is important for the FERC to receive this State perspective.

Accordingly, the FPSC respectfully seeks to file the attached letter a few days late.

Respectfully submitted,

/ s /

Cindy B. Miller
Office of the General Counsel

FLORIDA PUBLIC SERVICE COMMISSION
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
(850) 413-6199

LISA POLAK EDGAR
CHAIRMAN

STATE OF FLORIDA



CAPITAL CIRCLE OFFICE CENTER
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
(850) 413-6044

Public Service Commission

December 18, 2006

VIA ELECTRONIC FILING

The Honorable Joseph T. Kelliher, Chairman
The Honorable Sudeen G. Kelly
The Honorable Philip D. Moeller
The Honorable Marc Spitzer
The Honorable Jon Wellinghoff
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: Docket No. RM05-25-000 and RM 05-17-000, Preventing Undue Discrimination and Preference in Transmission Service

Dear Chairman Kelliher and Commissioners:

The Florida Public Service Commission (FPSC) writes to urge caution about the Transparent Dispatch Advocates (TDA) proposal made in their September 20, 2006, Reply Comments. You sought comments on the proposal in your November 15, 2006, Supplemental Notice.

We are concerned there could be ill-defined and unintended consequences regarding the adoption and implementation of the concept of transparency. Redispatch is a highly technical and complicated matter, and the TDA proposal is not clear on how it could be administered nor is it apparent as to its impact on transmission operators. Possible unintended consequences could include:

- harm to reliability for consumers if utilities no longer have redispatch as an operational reliability technique;
- administrative difficulties and excessive cost in implementation;
- a loss of confidentiality of utility information which should be entitled to such protection; and
- compelling the provisioning of services that risk increasing retail costs.

The Honorable Joseph T. Kelliher

December 18, 2006

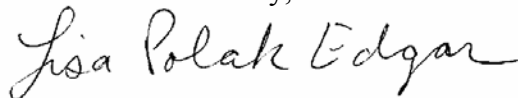
Page 2

We are thus urging caution when you consider the redispach proposal. If the concept is to be pursued further, you should require more specificity as the proposal raises too many questions. It must be better defined. We strongly recommend, in the future, that when the FERC asks for comments on a proposal that departs so significantly from the original notice of rulemaking, that FERC extend the comment period beyond 30 days for parties to respond.

In closing, we also endorse the comments submitted by the Southeastern Association of Regulatory Utility Commissioners.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Polak Edgar".

Lisa Polak Edgar

Chairman

LPE:tf

cc: Commissioner J. Terry Deason
Commissioner Isilio R. Arriaga
Commissioner Matthew M. Carter II
Commissioner Katrina J. Tew
James Kerr, President, National Association of Regulatory Utility Commissioners
Chuck Gray, National Association of Regulatory Utility Commissioners