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Public Service Commission

August 6, 2001

VIA AIRBORNE EXPRESS

The Honorable David P. Boergers
Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, D.C. 20426

RE: Docket No. RT01-74-000, GridSouth Transco, LLC, Carolina Power & Light Company,
Duke Energy Corporation, South Carolina Electric & Gas Company
Docket No. RT01-75-000, Entergy Services, Inc.

Dear Mr. Boergers:

Enclosed are fifteen copies of the Florida Public Service Commission Motion for Leave to Intervene Out-of-Time in the above-captioned proceedings. Please date stamp and return one copy in the enclosed, self-addressed envelope.

Sincerely,

Cynthia B. Miller, Esquire
Bureau of Intergovernmental Liaison

Robert V. Elias, Esquire
Division of Legal Services

CBM:tf
Enclosures

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

GridSouth Transco, LLC)	Docket No. RT01-74-000
Carolina Power & Light Company)	
Duke Energy Corporation)	
South Carolina Electric & Gas Company)	
)	
Entergy Services, Inc.)	Docket No. RT01-75-000
_____)	

**FLORIDA PUBLIC SERVICE COMMISSION
MOTION FOR LEAVE TO INTERVENE OUT-OF-TIME**

Pursuant to Rule 214 of the Federal Energy Regulatory Commission (FERC) Rules of Practice and Procedure, the Florida Public Service Commission (FPSC) hereby files its Motion for Leave to Intervene Out-of-Time.

COMMUNICATIONS

Pursuant to Rule 203(b)(3) of the Federal Energy Regulatory Commission (FERC) Rules of Practice and Procedure, the following persons are designated for receipt of communications and service on this proceeding:

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INTERVENTION

The matter in these proceedings relates to the creation of an RTO and may involve a utility subject to FPSC jurisdiction. The FPSC is a state public utility commission whose interests are not adequately represented by any other party in the proceeding. The FPSC, pursuant to Chapters 350 and 366, Florida Statutes, is given the authority 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. Section 366.015, Florida Statutes, encourages participation by the FPSC in Federal agencies' proceedings that affect those utilities over which the FPSC has primary regulatory jurisdiction.

This intervention appeared unnecessary until the FERC issued its July 12, 2001, Mediation orders in these dockets. *Regional Transmission Organizations*, 96 FERC ¶ 61,066 (2001). The Commission directed the parties in Dockets No. RT01-34-000, RT01-75-000, RT01-74-000, and RT01-77-000 to participate in the mediation, and encouraged parties in RT01-67-000 (GridFlorida, LLC) to participate as well. The FERC has stated its goal of creating one Southeastern RTO. Thus, the FPSC, in an abundance of caution, seeks to intervene in these dockets.

This intervention will not prejudice the other parties in these dockets. The development of a single large RTO for the southeast remains in the very early stages. No disruption of these proceedings will result from permitting the intervention out-of-time, nor will any prejudice or burden be placed on any party by permitting the intervention out-of-time.

WHEREFORE, the FPSC initially asserts that it has direct, material, and substantial interest in the proceedings that cannot be adequately represented by any other party. Accordingly, the FPSC respectfully has filed this motion to intervene.

Florida Public Service Commission
Dockets No. RT01-74-000 and RT01-75-000
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Respectfully submitted,

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DATED: August 6, 2001

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

GridSouth Transco, LLC)	Docket No. RT01-74-000
Carolina Power & Light Company)	
Duke Energy Corporation)	
South Carolina Electric & Gas Company)	
)	
Entergy Services, Inc.)	Docket No. RT01-75-000
_____)	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing Notice of Intervention of the Florida Public Service Commission will be served today by U.S. Mail upon all parties to the docket.

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