

ORIGINAL

September 10, 2001

Blanca S. Bayo, Director
Division of Records and Reporting
Public Service Commission
4750 Esplanade Way, Room 110
Tallahassee, FL 32399

Re: Docket No. 00⁰⁰³³⁴~~334~~-EI

Dear Ms. Bayo:

Enclosed are seven (7) copies of Publix Super Market Inc., Petition to Intervene in the above docket.

We have also enclosed a copy of the document on diskette, prepared in Microsoft Word 7.0 on a Windows 95 operating system. The diskette is a "2HD" density and 1.44 MB.

Thank you in advance for your assistance.

Sincerely yours,

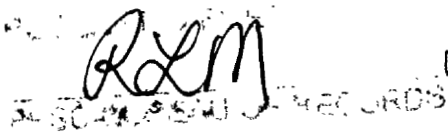


Richard Shine

Enclosures
SMF/skl

APP	_____
CAF	_____
CMP	_____
COM	_____
CTR	_____
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LEG	_____
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DOCUMENT NUMBER-DATE

11288 SEP 10 2001

FPSC-COMMISSION CLERK

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 by Carolina Power &) Filed: September 10, 2001
Light.)
_____)

PUBLIX SUPER MARKET INC., PETITION TO INTERVENE

PUBLIX SUPER MARKET INC., ("Publix") 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, Publix States:

1. Publix pays Florida Power Corporation ("FPC" or "Company") for power at rates approved by the Florida Public Service Commission ("PSC"). Publix is a "person" as defined by §1.01 and §120.52(13), Florida Statutes. Publix has a substantial interest in the outcome of both Phase I and Phase II of this proceeding.

2. Publix maintains corporate offices at 936 George Jenkins Boulevard, Lakeland, Florida 33815, telephone number (863) 668-7407. However, for the purposes of this Petition, Publix may be contacted through its counsel, Ronald C. LaFace and Seanne M. Frazier, Greenberg Traurig, P.A., 101 East College Avenue, Tallahassee, FL 32301, telephone number (850) 222-6891.

3. The agency affected by this Petition is the State of Florida, Public Service Commission ("PSC"), located at 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850 telephone number (850) 413-6248. However, this docket concerns FPC, whose regional transmission organization ("RTO") proposal, earnings, and effects of proposed acquisition by Carolina Power & Light are subject to review.

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4. In this docket, PSC staff have requested the Commission to review FPC's RTO proposal, earnings, and including the effects of the proposed acquisition of Florida Power Corporation by Carolina Power & Light.

5. Publix develops, owns and operates seven distribution centers, two manufacturing facilities and 524 supermarket facilities throughout Florida. Publix is one of the 10 largest-volume supermarket chains in the United States with retail sales of \$14.6 billion during calendar year 2000. Publix employs in excess of 122,000 employees.

6. As consumers of large amounts of electricity, Publix will be substantially affected by actions taken in this docket. A Florida RTO will address the operational and reliability issues confronting Florida industry participants and policymakers while endeavoring to eliminate discrimination in transmission services. A properly structured, independent RTO will have the ability to improve efficiencies in transmission grid management, improve grid reliability and consequently benefit retail consumers through lower electricity rates resulting from a wider choice of services and service providers.

7. Publix owns and operates a substantial number of supermarkets in FPC's service territory and is, therefore, a large commercial customer of FPC. The cost of electricity represents a large variable costs in Petitioner's operations. As consumers of large amounts of electricity, Publix will be substantially affected by actions taken in this docket.

8. Disputed issues of material fact include, but are not limited, to the following: the necessity, reasonableness, and prudence of the proposed RTO GridFlorida and the costs proposed to be charged to commercial customers; the effect of the proposed

acquisition of FPC by Carolina Power & Light on FPC's earnings and costs, the reasonableness of FPC's achieved return on equity; and the appropriate level of commercial rates to be charged by FPC.

9. As a matter of ultimate fact and law, the PSC should investigate the form of the RTO proposed by FPC, and investigate the effect of FPC's earnings caused by the proposed acquisition of FPC by Carolina Power & Light.

For the foregoing reasons, Publix requests that the Commission enter an Order authorizing it to intervene with full party status in this docket.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via U.S. Mail to the following this 11th day of September, 2001.

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