

GREENBERG
ATTORNEYS AT LAW
TRAURIG

ORIGINAL

RECEIVED-FPSC

OCT 11 PM 4:23

COMMISSION
CLERK

October 11, 2001

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

Re: Docket No. 000824-EI

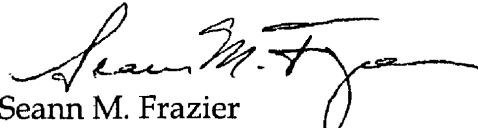
Dear Ms. Bayo:

Enclosed is an original and fifteen (15) copies of Publix Super Market Inc., Post-Hearing Statement 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.

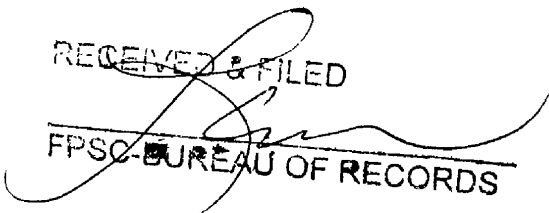
Thank you in advance for your assistance.

Sincerely yours,


Seann M. Frazier

Enclosures
SMF/skl

- APP _____
- CAF _____
- CMP _____
- COM 5
- CTR 206688
- ECR _____
- LEG L
- OPC _____
- PAI _____
- RGO _____
- SEC L
- SER _____
- OTYF _____

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

GREENBERG TRAURIG, P.A.
101 EAST COLLEGE AVENUE POST OFFICE DRAWER 1838 TALLAHASSEE, FLORIDA 32302
850-222-6891 FAX 850-681-0207 www.gtllaw.com

F-2962 OCT 11 01

FPSC COMMISSION CLERK

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

PUBLIX POST-HEARING STATEMENT

Pursuant to Prehearing Order No. PSC-01-1959-PHO-EI in this proceeding, Publix Super Market, Inc. ("Publix") files this Post-hearing Statement of issues and positions in Phase One of this docket:

Issue 1: Is participation in a Regional Transmission Organization (RTO) Pursuant to FERC Order No. 2000 Voluntary?

Publix: FERC Order 2000 was worded in a manner which initially made participation in an RTO for a FERC regulated utility voluntary. FERC also, however, made it clear that ultimately all FERC regulated utilities would have to participate in RTOs and that those that did not would suffer economic detriment and have merger issues if they failed to "voluntarily" do so. Given this choice, a prudent utility may see participation as mandatory.

Issue 2: What are the benefits to Peninsular Florida associated with the utility's participation in GridFlorida.

Publix: Having an unbiased regional transmission organization ("RTO") operating the transmission system will provide better reliability to retail

and wholesale electric customers by providing more effective transmission congestion control, loop flow control, interconnection planning, and emergency management, and more timely ancillary services to generators. Further, by promoting more wholesale electric competition, wholesale retail electric service rates may be lowered as well. Publix feels that this is better accomplished through a multi-state RTO than through GridFlorida.

Issue 3: What are the benefits to the utility's ratepayers of its participation in GridFlorida?

Publix: There are potential long term cost benefits to wholesale and retail electric customers from the formation of an RTO in that "pancaked" transmission costs would be phased out over a period of years thereby making lower priced wholesale electric generation sources more attractive. Other cost savings may be realized through coordinated transmission system upgrade costs and by spreading the costs of system improvements to all system users.

Issue 4: What are the estimated costs to the utility's rate payors of its participation in GridFlorida?

Publix: Publix has no position on this issue.

Issue 5: Is FPC's decision to transfer operational control of its transmission facilities of 69 kV and above to GridFlorida while retaining ownership appropriate?

Publix: Publix has no position on this issue.

Issue 6: Is the utility's decision to participate in GridFlorida prudent?

Publix: Publix has no position on this issue.

Issue 7: What policy position should the Commission adopt regarding the formation of GridFlorida?

Publix: The Commission should (1) recognize the authority of the FERC over RTO formation, (2) minimize any cost impact of RTO costs on utility rates, and (3) maintain reliable and unbiased transmission availability in a manner which promotes wholesale competition.

Issue 8: Is Commission authorization required before the utility can unbundle its retail electric service?

Publix: Publix has no position on this issue.

Issue 9: Is Commission authorization required before the utility can stop providing retail transmission service?

Publix: Publix has no position on this issue.

Issue 10: Is Commission authorization required before FPC can transfer operational control of its retail transmission assets?

Publix: Publix has no position on this issue.

Issue 11: Is a regional transmission organization for the southeast region of the United States a better alternative for Florida than the GridFlorida RTO?

Publix: Yes. Publix believes a multi-state RTO provides better benefits to electric utility customers because of the resulting improved transmission facilities into the state of Florida. Further, there would be more generating utilities involved which would increase overall electricity supply. However, Publix recognizes that since inadequate progress has been made on the formation of a multistate RTO, it is impossible to tell at this time.

GREENBERG TRAUERIG, P.A.

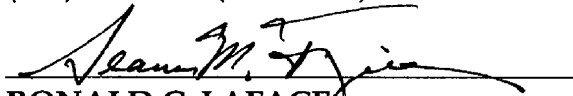
101 East College Avenue

Post Office Drawer 1838

Tallahassee, FL 32302

(850) 222-6891 (Telephone)

(850) 681-0207 (Facsimile)



RONALD C. LAFACE
SEANN M. FRAZIER

Counsel for Publix Super Market, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished via Facsimile to the following this 11th day of October, 2001.

Ronald V. Elias, Esquire
Bureau Chief, Electric and Gas
Division of Legal Services
Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-6199
Phone: 850/413-6199

Jack Shreve, Esquire
Public Counsel
John Roger Howe, Esquire
Deputy Public Counsel
Office of Public Counsel
C/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
Phone: 850/488-9330
Attorneys for the Citizens of the State of
Florida

John W. McWhirter, Jr., Esquire
McWhirter, Reeves, McGlothlin,
Davidson,
Decker, Kaufman, Arnold & Steen, P.A.
400 North Tampa Street, Suite 2450
Tampa, FL 33601-3350
Telephone: 813/224-0866
Fax: 813/221-1854
Counsel for Florida Industrial Power
Users Group

Gary L. Sasso
James Michael Walls
Carlton Fields
P. O. Box 2861
St. Petersburg, FL 33731
Telephone: 727/821-7000
Fax: 727/822-3768
Attorneys for Florida Power Corporation

Joseph A. McGlothlin, Esquire
Vicki Gordon Kaufman, Esquire
McWhirter, Reeves, McGlothlin,
Davidson, Decker, Kaufman, Arnold
& Steen, P.A.
117 South Gadsden
Tallahassee, FL 32301
Telephone: 850/222-2525
Fax: 850/222-5606
Counsel for Florida Industrial Power
Users Group and Reliant Energy Power
Generation, Inc.

James D. Beasley, Esquire
Lee L. Willis, Esquire
Ausley & McMullen
P. O. Box 391
Tallahassee, FL 32302
Phone: 850/224-9115
Fax: 850/222-7952
Counsel for Tampa Electric Company

Michael G. Briggs, Senior Counsel
Reliant Energy Power Generation, Inc.
801 Pennsylvania Avenue, Suite 620
Washington, D.C. 20004

Diane K. Kiesling, Esquire
Landers & Parsons, P.A.
310 West College Avenue (32301)
P. O. Box 271
Tallahassee, FL 32302
Telephone: 850/681-0311
Fax: 850/224-5595
Counsel for Calpine Corporation, Duke
Energy North America and Mirant
Americas Development, Inc.

Michael B. Twomey, Esquire
P. O. Box 5256
Tallahassee, FL 32314-5256
Phone: 850/421-9530
Fax: 850/421-8543
Counsel for Sugarmill Woods Civic
Association, Inc.

Thomas W. Kaslow
Director, Market Policy & Regulatory
Affairs
Calpine Eastern
The Pilot House, 2nd Floor
Lewis Wharf
Boston, Massachusetts 02110
Phone: 617/723-7200 (ext 393)
Fax: 617/557-5353

John C. Moyle, Jr., Esquire
Cathy M. Sellers, Esquire
Moyle, Flanigan, Katz, Raymond &
Sheehan, P.A.
The Perkins House
118 North Gadsden Street
Tallahassee, FL 32301
Telephone: 850/6818-3828
Fax: 850/681-8788
Counsel for CPV Atlantic, Ltd. and PG&E
National Energy Group Company

Lee E. Barrett, Director
Regulatory Policy
Duke Energy North America
5400 Westheimer Court
Houston, TX 77056-5310
Telephone: 713/627-6519
Fax: 713/627-6566

Melissa Lavinson
PG&E National Energy Group Company
7500 Old Georgetown Road
Bethesda, MD 20814

John G. Trawisk
Director Planning and Market Structure
Mirant Americas Development, Inc.
1155 Perimeter Center West
Atlanta, GA 30338-5416
Telephone: 678-579-7219
Fax: 678/579-5293

Frederick M. Bryant, Esquire
General Counsel
Florida Municipal Power Agency
2061-2 Delta Way
Tallahassee, FL 32303
Telephone: 850/297-2011
Fax: 850/297-2014

Robert C. Williams, P.E.
Director of Engineering
Florida Municipal Power Agency
8553 Commodity Circle
Orlando, FL 32819-9002
Telephone: 407/355-7767

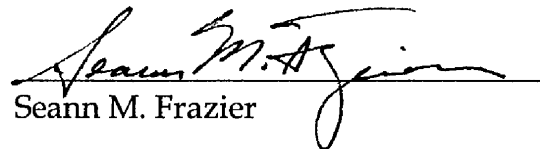
Bill L. Bryant, Jr., Esquire
Natalie B. Futch
Katz, Kutter, Haigler, Alderman, Bryant &
Yon, P.A.
106 East College Avenue, 12th Floor
Tallahassee, FL 32301
Telephone: 850/224-9634
Fax: 850/222-0103
Counsel for Enron Corporation

Marchris Robinson
Manager, State Government Affairs
Enron Corporation
1400 Smith Street
Houston, TX 77002-7361
Telephone: 713/853-3342
Fax: 713/646-8160

Russell S. Kent, Esquire
Sutherland Asbill & Brennan, LLP
2282 Killearn Center Blvd.
Tallahassee, FL 32308-3561
Telephone: 850/894-0015
Counsel for Walt Disney World Co.

Danial E. Frank
Sutherland Asbill Brennan LLP
1275 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2415
Telephone: 202/383-0838
Counsel for Walt Disney World, Co.

Lee Schmuddle
Vice President, Legal
Walt Disney World, Co.
1375 Lake Buena Drive
Fourth Floor North
Lake Buena Vista, FL 32830
Telephone: 407/828-1723


Seann M. Frazier