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Matthew M. Childs, P.A.

July 23, 2001

-VIA HAND DELIVERY-

Ms. Blanca S. Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

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COMMISSION
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Re: Docket No. 001148-EI

Dear Ms. Bayó:

Enclosed please find the original and seven (7) copies of Florida Power & Light Company's Response to PG&E National Energy Group's Petition to Intervene, along with a diskette containing the electronic version of the document. The enclosed diskette is HD density, the operating system is Windows 98, and the word processing software in which the document appears is WordPerfect 9.

RECEIVED & FILED

Matthew M. Childs
FPSC - BUREAU OF RECORDS

Sincerely,

Matthew M. Childs
Matthew M. Childs

Enclosures

cc: Counsel of record
MIA2001/28407-1

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Review of Florida Power & Light)
Company's proposed merger with Entergy) DOCKET NO. 001148-EI
Corporation, the formation of a Florida)
transmission company ("Florida transco"),) Filed: July 23, 2001
and their effect on FPL's retail rates.)
_____)

**FLORIDA POWER & LIGHT COMPANY'S RESPONSE
TO PG&E NATIONAL ENERGY GROUP COMPANY'S
PETITION TO INTERVENE**

Florida Power & Light Company ("FPL"), pursuant to Rule 28-106.204, Florida Administrative Code ("F.A.C."), hereby respectfully responds to the petition to intervene filed by PG&E National Energy Group Company ("NEG"), and states:

1. NEG's petition states that it owns and proposes to build electric generating facilities that interconnect with FPL's transmission system and that one such facility, the Indiantown Cogeneration facility in Martin County, is a retail customer of FPL. Petition at ¶¶3-5. NEG indicates that its primary interest in this proceeding relates to the development of and FPL's participation in a Regional Transmission Organization ("RTO"). Petition at ¶3. All of the enumerated issues of material fact and ultimate facts alleged set forth in Paragraphs 4 and 5 of the Petition relate specifically to the GridFlorida RTO.

2. FPL does not object to NEG's intervention to the extent that it relates to issues arising from the proposed formation of GridFlorida, which are the only matters raised by NEG's petition and appear to be NEG's only area of interest in this proceeding. FPL cannot definitively tell from NEG's petition, however, whether NEG intends to intervene only as to the matters raised therein.


FPL reserves its right to object later to NEG's participation in this docket as to any subsequently-identified issue(s) that go beyond the allegations of its petition or for which NEG does not have the requisite substantial interest contemplated by *Agrico Chemical Co. v. Dep't of Env. Reg.*, 406 So.2d 478, 481 (Fla. 1st DCA 1981), *rev. denied* 415 So.2d 1359 (Fla. 1982).

WHEREFORE, FPL respectfully requests that, if NEG is permitted to intervene, its intervention be limited at this time to issues arising from the proposed formation of GridFlorida and that the Commission defer decision on NEG's intervention with respect to any generic, rate-investigation issues until such time as those issues are raised.

Respectfully submitted,

Steel Hector & Davis LLP
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Attorneys for Florida Power & Light Company

By: 
Matthew M. Childs, P.A.
John T. Butler, P.A.
Gabriel E. Nieto

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of FPL's Response to Petition to Intervene of PG&E National Energy Group Company was served by hand delivery (*) or mailed this 23rd day of July 2001 to the following:

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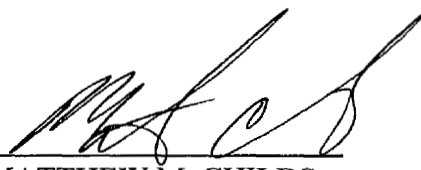
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