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CLIENT/MATTER NUMBER  
062012-0101

October 12, 2001

VIA HAND DELIVERY

Ms. Blanca S. Bayo, Director  
Division of Commission Clerk and  
Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

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Re: Docket Nos. 000824-EI, 001148-EI, and 010577-EI

Dear Ms. Bayo :

Please find enclosed for filing in the above-referenced dockets the original and 15 copies of Seminole Electric Cooperative, Inc.'s Post Hearing Statement of Issues and Positions. We have also enclosed a diskette containing the above-referenced document which has been saved in rich text format. Please stamp the duplicate copy of this letter to acknowledge receipt of the attached.

Thank you for your assistance.


Sincerely,



N. Wes Strickland

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**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

In Re: Review of Florida Power & Light Company's proposed merger with Entergy Corporation, the formation of a Florida transmission company ("Florida Transco"), and their effect on FPL's retail rates.) Docket No. 001148-EI

In Re: Review of Tampa Electric Company and impact of its participation in GridFlorida, a Florida transmission company, on TECO's retail ratepayers. ) Docket No. 010577-EI  
Filed October 12, 2001

**SEMINOLE ELECTRIC COOPERATIVE, INC.'S  
POST-HEARING STATEMENT OF ISSUES AND POSITIONS**

Seminole Electric Cooperative, Inc. ("Seminole Electric"), pursuant Rule 28-106.215, *Florida Administrative Code*, and the October 1, 2001, Pre-Hearing Order, hereby submits its Post-Hearing Statement of Issues and Positions in the above-styled dockets as follows:

**A. STATEMENT OF BASIC POSITION**

\*\*\* While Seminole Electric continues to take exception to certain key elements of GridFlorida, Seminole Electric nevertheless does not believe that FPC, FPL and TECO were imprudent in participating in GridFlorida. \*\*\*

**B. STATEMENT OF ISSUES AND POSITIONS**

**Issue 1: Is participation in a regional transmission organization (RTO) pursuant to FERC Order No. 2000 voluntary?**

**Seminole Electric's Position:**

\*\*\* FERC Order No. 2000 purports to allow voluntary participation by transmission-owning utilities in an RTO. In practice, however, it appears that FERC intends to exert its jurisdictional influence in such areas as merger approvals and market-based rate approvals to encourage participation by all transmission-owning utilities in an RTO. \*\*\*

**Issue 2: What are the benefits to Peninsular Florida associated with the utility's (FPC, FPL, or TECO) participation in GridFlorida?**

**Seminole Electric's Position:**

\*\*\* GridFlorida has the potential to benefit all market participants by, *inter alia*, providing centralized and regional grid planning, maintenance and expansion; improving grid reliability; eliminating discriminatory practices; improving access for wholesale market participants; and eliminating "pancaked" rates. There are many issues that remain to be resolved before this potential for benefits can be claimed to be a reality in all respects. \*\*\*

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

**Seminole Electric's Position:**

\*\*\* Seminole Electric takes no position on this issue. \*\*\*

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

**Seminole Electric's Position:**

\*\*\* Seminole Electric takes no position on this issue. \*\*\*

**Issue 5: Is TECO's/FPL's decision to transfer ownership and control of its transmission facilities of 69kV and above to GridFlorida appropriate?**

**and**

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

**Seminole Electric's Position:**

\*\*\* Seminole Electric takes no position on this issue. \*\*\*

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

**Seminole Electric's Position:**

\*\*\* Seminole Electric believes that it was not imprudent for FPC, FPL and TECO to participate in GridFlorida. Seminole Electric does, however, take exception to certain key elements of GridFlorida, as set forth in Seminole Electric's pleadings in the proceedings before FERC. In addition, Seminole Electric believes that the Commission will, at a minimum, continue to have jurisdiction over transmission reliability even after a transfer of control to GridFlorida. \*\*\*

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

**Seminole Electric's Position:**

\*\*\* The Commission should not find that the decision by FPC, FPL and TECO to participate in GridFlorida was imprudent. Seminole Electric, while continuing to object to certain key elements of GridFlorida, nevertheless believes that the Commission's finding may be essential to preserving the option of a Florida-specific RTO. In making such a determination, however, the Commission should manifestly express that it retains continuing jurisdiction over transmission reliability. \*\*\*

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

**Seminole Electric's Position:**

\*\*\* Seminole Electric takes no position on this issue. \*\*\*

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

**Seminole Electric's Position:**

\*\*\* Seminole Electric takes no position on this issue. \*\*\*

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

**and**

**Is Commission authorization required before FPL/TECO can sell its retail transmission assets?**

**Seminole Electric's Position:**

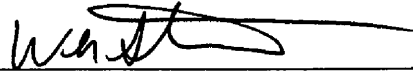
\*\*\* Seminole Electric takes no position on this issue. \*\*\*

**Issue 11: Is a Regional Transmission Organization for the Southeast region of the United States a better alternative for Florida than the GridFlorida RTO?**

**Seminole Electric's Position:**

\*\*\* Seminole Electric believes that information upon which to base a comparison between the Southeast RTO and GridFlorida is currently unavailable. Consequently, Seminole Electric takes no position on this issue. \*\*\*

RESPECTFULLY SUBMITTED this 12th day of October 2001.



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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent by hand delivery (\*), facsimile and U.S. Mail (\*\*\*) or U.S. Mail, on this 12th day of October 2001, to the persons listed below:

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