

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Review of GridFlorida
Regional Transmission
Organization (RTO) proposal.

DOCKET NO. 020233-EI

JEA'S PETITION FOR LEAVE TO INTERVENE

Pursuant to Rules 25-22.039 and 28-106.205, Florida Administrative Code, JEA, through its undersigned counsel, submits its Petition For Leave to Intervene and in support thereof states as follows:

I. Intervenor information

1. The name and address of the Petitioner is:

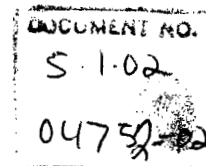
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2. Copies of all correspondence, pleadings, notices and orders in this docket should be provided to:

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II. Substantial interest

3. JEA is a vertically integrated municipal electric utility operating in northeastern Florida since 1895. JEA has installed generating capacity of 2,981 MW and will exceed 3,400 MW by 2004. JEA owns 634 circuit miles of transmission lines at voltage levels of 69kV, 115 kV, 138 kV and 500 kV. JEA currently has in excess of 360,000 electric customers on its system.

4. On March 20, 2002, Florida Power Corporation (FPC), Florida Power & Light Company (FPL) and Tampa Electric Company (FPL) filed their revised GridFlorida RTO proposal in response to Order No. PSC-01-2489-FOF-EI. This proposal calls for the establishment of an Independent System Operator (ISO) to serve as the RTO and become the primary transmission provider within the state. All utilities within the Florida Reliability Coordinating Council (FRCC) will be permitted to join and turn operational control of their transmission facilities over to the RTO. The RTO would also serve as the security coordinator for the FRCC.

5. Actions taken in this docket will affect the nature of the state's transmission facilities, transmission service, and transmission system governance in a market in which JEA has significant investments. As an owner of substantial transmission facilities in the state, JEA may elect to join GridFlorida. A key

element affecting its decision to do so will be the structure of the organization. Also, whether JEA joins GridFlorida or not, its substantial interests will be affected to the extent that it is required to contract with GridFlorida for transmission service. In sum, JEA's ability to deliver and receive power via Florida's bulk power system is directly affected by the formation and operating parameters of GridFlorida. Efficient and economical access to the state's bulk electrical power grid and a reliable RTO to accomplish those objectives are essential to JEA's continued success in providing electricity to its retail customers at one of the lowest rates in the state. Thus, JEA's substantial interests will be directly affected by the decision rendered in this docket.

6. That being the case, the two prong test of Agrico Chemical Company v. Department of Environmental Regulation, 406 So.2d 478 (Fla. 2d DCA 1981), for proving substantial interest has been met by JEA. JEA will, as demonstrated above, sustain an injury in fact of sufficient immediacy and JEA's interest is of the type this proceeding is designed to protect: formation of an efficient and reliable RTO for the delivery of bulk electric power throughout Peninsular Florida.

III. Disputed Issues of Fact and Law

10. The following broad issues have been identified by JEA as disputed issues of material fact in this proceeding:

- Issue 1: What are the appropriate structure and governance mechanisms for GridFlorida?
- Issue 2: What are the appropriate planning and operational mechanisms for GridFlorida?

Issue 3: What type of market design is most appropriate for GridFlorida?

Issue 4: What is the appropriate pricing protocol and rate design for GridFlorida?

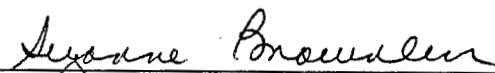
- a. What cost recovery mechanism will be most appropriate for GridFlorida?
- b. Should transmission dependent utility (TDU) costs be included in zonal rates?
- c. What is the appropriate treatment for revenue shifts which result from the de-pancaking of rates?

IV. Ultimate Facts Alleged

11. In order to economically and efficiently participate in the newly evolving national energy market, Florida must develop an efficient and reliable RTO in Peninsular Florida. This market must facilitate the creation of a competitive wholesale generation market while maintaining the economic stability of existing transmission owners.

WHEREFORE, JEA respectfully requests that the Commission issue an order granting its Petition For Leave To Intervene and authorizing its participation as a full party in this proceeding.

Respectfully submitted this 1st day of May, 2002 by:



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**CERTIFICATE OF SERVICE
DOCKET 020233**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Hand-delivery(*), or U.S. Mail, to the following parties on this 1st day of May, 2002.

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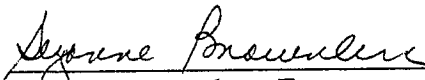
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