

ORIGINAL



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May 9, 2002

VIA HAND DELIVERY

Ms. Blanca S. Bayó, Director
Division of Commission Clerk and
Administrative Services
FLORIDA PUBLIC SERVICE COMMISSION
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

RECEIVED-FPSC
02 MAY -9 PH 2:51
COMMISSION
CLERK

**Re: Docket No. 020233-EI; Pre-Workshop Comments of Florida
Municipal Power Agency—ERRATA PAGE 5**

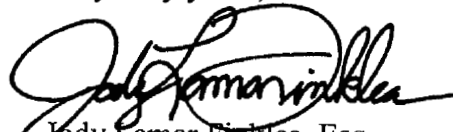
Dear Ms. Bayó:

Enclosed please find sixteen (16) duplicates of Errata Page 5 meant to supersede and replace Page 5 of the Pre-Workshop Comments of Florida Municipal Power Agency, filed in the above referenced docket yesterday.

It came to our attention this morning that Page 5, as initially filed, inadvertently listed the previous addresses of FMPA's Tallahassee and Orlando offices. Please accept the enclosed Errata Page 5 and supplement our filing of yesterday accordingly.

Thank you for your assistance.

Very truly yours,

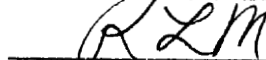

Jody Lamar Finklea, Esq.

AUS _____
CAF _____
CMP 1
COM 5 Enclosures
CTR _____
ECR 3
GCL 1
OPC _____
MMS 3
SEC 1
OTH 1-EXT

Cc: (VIA U.S. MAIL, With Enclosure)

All Parties of Record

RECEIVED & FILED



FPSC-BUREAU OF RECORDS DOCUMENT NUMBER-DATE

F L O R I D A M U N I C I P A L P O W E R 05051 MAY -98

FPSC-COMMISSION CLERK

III. COMMUNICATIONS

FMPA requests that all pleadings, notices, correspondences, or documents of any kind pertaining to this matter be furnished to:

Frederick M. Bryant, Esq.
General Counsel
Jody Lamar Finklea, Esq.
Attorney
FMPA
2061-2 Delta Way
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Mr. Robert C. Williams, P.E.
Director of Engineering
FMPA
8553 Commodity Circle
Orlando, Florida 32819-9002

Cynthia S. Bogorad, Esq.
David E. Pomper, Esq.
Jeffrey A. Schwarz, Esq.
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1350 New York Ave., NW, Suite 1100
Washington, DC 20005

IV. COMMENTS

A. *STRUCTURE AND GOVERNANCE*

“The business and affairs of [GridFlorida] shall be managed or under the direction of the Board of Directors, which may exercise all such powers of the [RTO] and do all such lawful acts and things as are permitted by statute, the Articles of Incorporation, and these By-Laws.” By Laws Art. III § 3. Because GridFlorida acts by and through its Board and because the business of GridFlorida is one invested with the public interest, it is critical that GridFlorida’s Board be well-informed and responsive to the needs and concerns of stakeholders, that it be independent of market participants and able to act effectively and impartially, and that its actions be transparent to regulators, stakeholders, and the public.⁹ However, Applicants’ compliance filing adopts inappropriate procedures for selecting and removing Board directors. The compliance filing also fails to ensure that, once the Board is seated, its decisions will be

⁹ See GridFlorida Order at 19 (noting that an independent Board is necessary to “(1) dispel any notions of discrimination, (2) ensure that the transmission services provided by the RTO are fair and equitable; and (3) meet the needs of Florida’s electric ratepayers in safe, adequate, reliable and cost effective manner.”).