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COGENERATION & ALTERNATIVE ENERGY
ENERGY REGULATORY LAW

VIA FEDERAL EXPRESS

September 11, 2002

Ms. Blanca S. Bayó, Director
Division of Records & Reporting
Florida Public Service Commission
Capitol Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

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In re: **FPSC Docket No.020233-EI**
Review of GridFlorida Regional Transmission Organization (RTO) Proposal

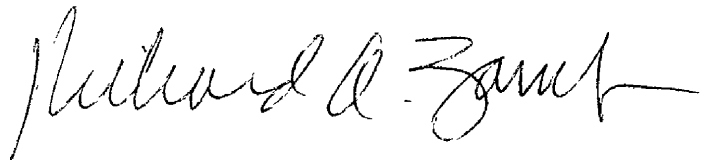
Dear Ms. Bayó,

Enclosed for filing in the captioned Docket please find the original and 10 copies of Petition For leave To Intervene By The Solid Waste Authority Of Palm Beach County.

Copies of the Petition will be provided via email to all parties on Staff's electronic distribution list in this Docket. We have also enclosed a 3.5 inch diskette containing this document and the Petition.

Please date stamp one copy of the Petition and return it to us in the enclosed self-addressed stamped envelope. If you have any questions regarding this filing, or require any additional information, please do not hesitate to contact this office.

Sincerely,



Richard A. Zambo

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09675 SEP 12 8

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of GridFlorida)
Regional Transmission)
Organization (RTO) Proposal)
_____)

Docket No. 020233-EI
Submitted for filing: Sept. 11, 2002

PETITION FOR LEAVE TO INTERVENE
BY
THE SOLID WASTE AUTHORITY OF PALM BEACH COUNTY, FLORIDA

Pursuant to Rule 25-22.039, F.A.C., the Solid Waste Authority of Palm Beach County ("SWA" or "Petitioner"), by and through its undersigned attorney, hereby files this Petition for leave to Intervene in the captioned proceeding. In support of thereof, Petitioner states as follows:

1. The name, address, and telephone number of the Petitioner are as follows:

Solid Waste Authority
7501 North Jog Road
West Palm Beach, FL 33412
Attn: Dr. Marc C. Bruner
Phone (561) 640 4000, ext. 5607
Fax (561) 640 3400

2. Copies of all correspondence, pleadings, and other documents should be provided to:

Richard A. Zambo
Richard A. Zambo, P.A.
598 SW Hidden River Avenue
Palm City, FL 34990
Phone (772) 220-9163
FAX (772) 220-9402
email richzambo@aol.com

3. The SWA disposes of approximately 1.3 million tons of municipal solid waste annually. Approximately 800 thousand tons of this total is delivered to its waste-to-energy facility (a Qualifying Facility or QF) for processing. At the facility, the solid waste undergoes

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processing to separate recyclable materials, primarily ferrous metal and aluminum, from non-recyclable materials. The non-recyclable materials are further processed into a material known as refuse derived fuel (RDF).

4. **Statement of Substantial Interests**

- a. The RDF is fired in steam boilers to produce steam for use in the waste-to-energy facility's 62 mW steam turbine-generator. The facility thereby generates approximately 450 thousand mWh of electricity annually, the majority of which is sold to Florida Power and Light Company (FPL), pursuant to a contract for firm energy and capacity.
- b. There is a possibility that existing waste-to-energy facilities may be expanded, or that the SWA would construct one or more additional QF generating facilities - such as a landfill gas facility.
- c. In addition to generating and selling electricity produced by the waste-to-energy QF facility, the SWA and Palm Beach County consume substantial quantities of electricity from "Applicant" Florida Power & Light Company.
- d. The SWA's facilities are connected to and rely on Florida's electric transmission system as purchasers and producers of electricity.
- e. Accordingly, as both a purchaser and producer of electricity, the SWA is justifiably concerned about the impacts the proposed GridFlorida RTO will have on its electricity sales and electricity purchases.

5. **Statement Of Disputed Issues In This Proceeding**

The following issues have been preliminarily identified by the SWA as disputed issues: (The SWA reserve the right to add to or modify this issues list in its sole discretion.)

- a. Is LMP the appropriate pricing mechanism for the proposed GridFlorida RTO?
- b. Does the proposed GridFlorida RTO market structure include appropriate market power mitigation measures?
- c. What is the appropriate methodology for determining whether a GridFlorida market participant possesses market power?
- d. Will implementation of the proposed GridFlorida RTO as proposed by Applicants transfer any subject matter jurisdiction from the FPSC to the FERC? If so, is it in the best interest of the Florida electric consumers to transfer such jurisdiction?

- e. Is the balancing mechanism proposed by the Applicants appropriate for all market participants, including "waste-to-energy" QFs?
- f. Should waste-to-energy QFs be exempt from any penalties for unbalanced schedules when such imbalance is a characteristic of waste-to-energy generating facilities?
- g. Is the balancing mechanism proposed by the Applicants appropriate for all Florida retail electric consumers, including those who purchase standby or maintenance power?
- h. Is the sharing of gains on real-time energy sales as proposed by the applicants consistent with achieving the lowest cost electricity for all Florida consumers?
- i. Will implementation of the proposed GridFlorida RTO adversely affect QFs selling as-available energy or firm energy and capacity?
- j. Has an assessment of the impact on retail electric rates of implementing the proposed GridFlorida RTO been performed?
- k. What is the anticipated total dollar increase or decrease in the retail electric rates of Florida's investor owned utilities for each of the first five years of GridFlorida RTO operation as a result of GridFlorida RTO? The first ten years?
- l. Will the proposed market monitor mechanism possess sufficient power and authority to expeditiously remedy market abuses or gaming?
- m. Will the proposed GridFlorida RTO structure be sufficiently flexible to allow the FPSC to make course corrections as may be deemed necessary from time-to-time?
- n. Are the projected costs associated with the creation and implementation of GridFlorida reasonable and in the best interest of Florida electric consumers?

6. **Statement Of Ultimate Facts Alleged**

- a. Matters within the scope of this proceeding will clearly affect the cost, availability, provision and reliability of electricity supplies to SWA.
- b. Matters within the scope of this proceeding will clearly affect the price, terms, costs, and conditions of electricity sales by SWA.

(The remainder of this page is intentionally left blank.)

WHEREFORE, In light of the foregoing multiple and substantial impacts that this proceeding will have on the SWA, Petitioner respectfully requests that the Commission enter an Order granting this Petition and granting SWA status as a full party in interest.

RESPECTFULLY submitted on this 11th day of September, 2002.



Richard A. Zambo
Florida Bar No. 312525

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