

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Joseph T. Kelliher, Chairman;
Nora Mead Brownell, and Suedeen G. Kelly.

GridFlorida LLC
Florida Power & Light Company
Florida Power Corporation
Tampa Electric Company

Docket No. RT01-67-003

Florida Power & Light Company
Tampa Electric Company

Docket No. ER01-2205-000

ORDER TERMINATING DOCKETS

(Issued June 19, 2006)

1. This order terminates Commission proceedings, as reflected in the above dockets, concerning GridFlorida LLC's (GridFlorida) Regional Transmission Organization (RTO) proposal.

Background

2. On March 28, 2001, the Commission addressed the Order No. 2000¹ compliance filing submitted by Florida Power & Light Company (FP&L), Florida Power Corporation (Florida Power Corp.), and Tampa Electric Company (TECO) to create GridFlorida, a for-profit RTO. The Commission found that the Applicants' compliance filing, as modified, complied with the minimum RTO characteristics and functions described in Order No. 2000, and provisionally granted RTO status to GridFlorida.² On June 1, 2001, in Docket No. ER01-2205-000, FP&L and TECO filed a request for Commission approval of a transmission pricing plan that would facilitate the divestiture of their transmission facilities to GridFlorida.

¹ *Regional Transmission Organizations*, Order No. 2000, 65 Fed. Reg. 809 (January 6, 2000), FERC Stats. & Regs. ¶ 31,089 (1999), *order on reh'g*, Order No. 2000-A, 65 Fed. Reg. 12,088 (March 8, 2000), FERC Stats. & Regs. ¶ 31,092 (2000), *aff'd sub nom. Public Utility District No. 1 of Snohomish County v. FERC*, 272 F.3d 607 (D.C. Cir. 2001).

² *GridFlorida LLC*, 94 FERC ¶ 61,363, *order granting reh'g in part and denying reh'g in part*, 95 FERC ¶ 61,473 (2001).

3. On December 20, 2001, the Florida Public Service Commission (Florida Commission) found that the Applicants were prudent in proactively forming GridFlorida. However, the Florida Commission ordered the Applicants to file a modified RTO proposal. The Florida Commission opened a new generic docket, Docket No. 020233-EI, to address the modified proposal.³

4. On May 9, 2006, the Florida Commission found that it was no longer prudent nor in the public interest for the Applicants to continue the development of GridFlorida. Thus, the Florida Commission granted the Applicants' motion to withdraw their RTO compliance filing, and closed Docket No. 020233-EI.⁴ No requests for reconsideration, as permitted under Florida law, were filed.

5. On June 12, 2005, FP&L, Florida Power Corp., and TECO filed a letter notifying the Commission about the Florida Commission's order closing the GridFlorida docket, and added that GridFlorida has been dissolved.

Discussion

6. In light of the Florida Commission's recent decision to terminate its proceedings regarding GridFlorida's RTO proposal and because GridFlorida is now dissolved, we will likewise terminate our proceedings concerning the GridFlorida RTO, in Docket Nos. RT01-67-003 and ER01-2205-000.

The Commission orders:

The proceedings in Docket Nos. RT01-67-003 and ER01-2205-000 are terminated, as discussed in the body of this order.

By the Commission.

(S E A L)

Magalie R. Salas,
Secretary.

³ *In re: Review of Florida Power Corporation's earnings, including effects of proposed acquisition of Florida Power Corporation by Carolina Power & Light, et al.*; Order No. PSC01-2489-FOF-EI, in Docket No. 000824-EI, *et al.*

⁴ *In re: Review of GridFlorida Regional Transmission Organization Proposal*, Order No. PSC -06-0388-FOF-EI, in Docket No. 020233-EI.