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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Energy Conservation)
Cost Recovery)
_____)

DOCKET NO. 950002-EG
FILED: February 3, 1995

PEOPLES GAS SYSTEM'S RESPONSE TO TAMPA ELECTRIC COMPANY'S
RESPONSE TO PEOPLES' MOTION FOR LEAVE
TO FILE SUPPLEMENTAL TESTIMONY

Peoples Gas System, Inc. ("Peoples") hereby files this response to Tampa Electric Company's Response to Peoples' Motion for Leave to File Supplemental Testimony. Peoples' Motion was filed herein on January 25, 1995, and TECO's response was filed on February 1; Peoples received TECO's response on February 2. In summary, Peoples has asked the Commission for leave to file supplemental testimony addressing certain supplemental discovery responses that TECO furnished to the Staff on January 30 and 31 and which Peoples received or obtained on January 31 and February 2. TECO has responded that it does not object to Peoples' request, subject to two conditions. With respect to those conditions, Peoples responds as follows.

ACK With respect to TECO's first proposed condition, i.e., that
AFA 4
APP Peoples' supplemental testimony be limited in scope to only the
CAF content of TECO's supplemental discovery responses, Peoples
CMU observes that this is all Peoples ever asked for and accordingly
CTR has no objection to abiding thereby.
FAG Brady
LEG 1 Peoples objects to the second proposed condition, i.e., that
LIN 4
OPC TECO be permitted an opportunity to rebut Mr. Krutsinger's
RCH direct/intervenor testimony filed herein on January 25, 1995:
SFC 1 pursuant to the Commission's Order Establishing Procedure Order

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No. PSC-95-0066-PCO-EG at 5, TECO had its opportunity to submit such rebuttal on February 1, 1995, but TECO failed to avail itself of this opportunity. Peoples objects to TECO's request to have additional time to respond to Mr. Krutsinger's testimony; Peoples complied with the Order Establishing Procedure and timely filed rebuttal testimony on February 1 in accord with that Order. Allowing TECO to impose this condition will give TECO an unfair advantage not only by giving it additional time to review Mr. Krutsinger's direct/intervenor testimony, but also by allowing TECO to prepare such rebuttal testimony in light of, and having reviewed and considered, Mr. Krutsinger's timely filed rebuttal testimony.

As stated in its Motion for Leave to File Supplemental Testimony, Peoples does not object to TECO having an opportunity to rebut Mr. Krutsinger's supplemental direct/intervenor testimony, i.e., that testimony in which Mr. Krutsinger will address only TECO's supplemental discovery responses. This would be consistent with the opportunity for rebuttal testimony provided by the Commission's Order Establishing Procedure.

Respectfully submitted this 3rd day of February 1995.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by hand delivery (*) or by United States Mail, postage prepaid, on the following individuals this 3rd day of February, 1995:

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