

the southern electric system

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**ORIGINAL
FILE COPY**

February 2, 1996

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee FL 32399-0870

Dear Ms. Bayo:

RE: Docket No. 930885-EU

Enclosed are an original and fifteen copies of the Gulf Power Company's Motion for Extension of Time to File Report.

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Also enclosed is a 3.5 inch double sided, high density diskette containing the Motion in WordPerfect for Windows 6.1 format as prepared on a MS-DOS based computer.

Sincerely,



lw

Enclosures

cc: Beggs and Lane
Jeffrey A. Stone, Esquire

DOCUMENT NUMBER-DATE
01266 FEB-5 96
FPSC-RECORDS/REPORTING

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Petition to resolve territorial dispute with Gulf) Docket No. 930885-EU
Coast Electric Cooperative, Inc. by Gulf Power Company.) Filed: February 5, 1996
_____)

MOTION FOR EXTENSION OF TIME TO FILE REPORT

Gulf Power Company ["Gulf Power", "Gulf", or "the Company"] and Gulf Coast Electric Cooperative, Inc. ["GCEC"] [collectively "the parties"]¹ hereby request an extension of the deadline for the parties to file the report required by the Florida Public Service Commission ["Commission"] in Order No. PSC-95-0271-FOF-EU. In support of this motion the parties state:

1. On March 1, 1995, the Commission issued Order No. PSC-95-0271-FOF-EU in Docket 930885-EU. This order requires the parties to return within 180 days with a report identifying all parallel lines and crossings of their facilities and all areas of potential dispute in south Washington and Bay counties. Prior to the deadline for the report, the parties were to negotiate in good faith to develop a territorial agreement to resolve duplication of facilities and establish a territorial boundary in south Washington and Bay counties. A motion for clarification was filed which in effect delayed the commencement of the 180 day deadline for the report.

2. The Florida Public Service Commission issued a clarifying and amendatory order on July 27, 1995, Order No. PSC-95-0913-FOF-EU. This order clarified the Commission's direction to the parties regarding negotiations and signaled the commencement of the 180 day period before the report required by Order No. PSC-95-0271-FOF-EU.

3. The parties met on several occasions since March 1, 1995 and have negotiated in good faith towards a mutual agreement to settle the territorial issues between the parties. During

_____ ¹In the interest of time, counsel for GCEC has consented to and authorized counsel for Gulf Power Company to file this motion on behalf of both parties.

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000387 OFFICE OF THE CLERK OF THE COMMISSION

this time frame, there have been two destructive hurricanes that have struck the northwest Florida area, causing widespread damage to the facilities of both utilities. The need to deal with the aftermath of these storms has understandably absorbed some of the time and effort of management for both utilities which could otherwise have been spent in further negotiations. Negotiations between the parties are ongoing and have not reached an impasse. The parties are continuing to meet and discuss possible agreements in an attempt to resolve the dispute between them.

4. Both parties and the Commission have recognized that the establishment of a territorial agreement is best accomplished through negotiations between the parties. Both parties believe that the filing of the required report at this time would serve to hinder further fruitful negotiations between the parties in that such a report would imply that the parties will not ultimately be successful in resolving their differences through a mutual agreement. An extension of the deadline would further the Commission's desire that the parties reach a territorial agreement without the need for further evidentiary hearings. Such an agreement between the parties would save Commission time and resources that would necessarily be consumed if the Commission were to commence further evidentiary hearings to resolve this matter.

WHEREFORE, Gulf Power Company and Gulf Coast Electric Cooperative respectfully request that the deadline for filing the report required by Order No. PSC-95-0271-FOF-EU be extended another 120 days. The parties further request that the Commission grant its staff the authority to further extend the filing deadline for the report upon proper certification by the parties that their negotiations are ongoing and have not reached an impasse.

Dated this 2nd day of February 1996.

Gulf Coast Electric Cooperative, Inc.
and
Gulf Power Company

By: Russell A. Badders

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to resolve)
territorial dispute with Gulf)
Coast Electric Cooperative, Inc.) Docket No. 930885-EU
by Gulf Power Company)
_____)

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing has been furnished this 3rd day of February 1996 by U.S. Mail or hand delivery to the following:

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