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February 28, 2001

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## By Hand Delivery

Ms. Blanca S. Bayo, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Betty Easley Conference Center, Room 110 Tallahassee, FL 32399-0850

Re: Docket No.000061-EI

Dear Ms. Bayo:

Enclosed for filing on behalf of Allied/CFI are the original and fifteen copies of Allied/CFI's Unopposed Motion for Extensions of Time for Filing of Responses to Motion to Dismiss, Motion to Strike, and Motion for Summary Final Order.

Please acknowledge this filing by date stamping the extra copy of this letter "filed" and returning the copy to me.

Thank you for your assistance with this filing.

Sincerely,

John R. Ellis

JRE/sy Enclosures

PAI

OTH

cc: Parties of Record

ECEIVED & FILED

PSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
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FPSC-RECORDS/REPORTING

#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Allied Universal	)	
Corporation and Chemical Formulators,	)	
Inc. against Tampa Electric Company	)	
for violation of Sections 366.03,	)	Docket No. 000061-EI
366.06(2) and 366.07, Florida Statutes,	)	
with respect to rates offered under	)	
Commercial/Industrial Service Rider tariff;	)	Filed: February 28, 2001
petition to examine and inspect confidential	)	
information; and request for expedited	)	
relief.	)	
	_)	

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# ALLIED/CFI'S UNOPPOSED MOTION FOR EXTENSIONS OF TIME FOR FILING OF RESPONSES TO MOTION TO DISMISS, MOTION TO STRIKE, AND MOTION FOR SUMMARY FINAL ORDER

Allied Universal Corporation ("Allied") and Chemical Formulators, Inc. ("CFI"), hereinafter referred to collectively as "Allied/CFI," by and through their undersigned counsel, and pursuant to Rule 28-106.204, Florida Administrative Code, hereby move for extensions of time in which to file their responses to the motion to dismiss filed by Tampa Electric Company ("TECO") and the motion to strike and motion for summary final order filed by intervenors, Odyssey Manufacturing Company ("Odyssey") and Sentry Industry, Inc. ("Sentry") (hereinafter referred to collectively as "Odyssey"), and state:

- 1. At the final hearing on February 19, 2001 in this proceeding, a settlement in principle was agreed to between Allied/CFI and TECO and was announced on the record by counsel for Allied/CFI and TECO. The settlement provides for the relief requested by Odyssey.
- 2. Counsel for Allied/CFI and TECO are engaged in drafting a formal written settlement agreement at this time. It is expected that the written settlement agreement will be filed by Friday, March 2, 2001, in order to provide time for a recommendation by the Commission's staff counsel

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concerning acceptance or rejection of the Settlement Agreement at the March 13, 2001 Agenda Conference.

- 3. On February 15, 2001, TECO filed a Motion to Dismiss Complaint and Request for Expedited Response ("motion to dismiss"). On February 16, 2001 Odyssey filed Intervenors' Motion to Strike ("motion to strike"). Pursuant to an oral order issued at the final hearing on February 19, 2001, Allied/CFI's responses to the two motions are due for filing on February 28, 2001.
- 4. On February 23, 2001, Odyssey filed Intervenors' Motion for Summary Final Order. Pursuant to Order No. PSC-00-2537-PCO-EI, issued December 29, 2000, Allied/CFI's response to Odyssey's motion is due for filing on February 28, 2001.
- 5. In order to permit Allied/CFI to focus its efforts on finalization of the settlement in this proceeding, Allied/CFI requests an extension of time of one day, to and including March 1, 2001, in which to file its response to TECO's motion to dismiss; and an extension of time of two days, to and including March 2, 2001, in which to file its responses to Odyssey's motion to strike and motion for summary final order.
- 6. Allied/CFI maintains that no party will be prejudiced by the granting of the requested extensions, and that granting of the extensions is appropriate to permit Allied/CFI to focus its immediate efforts in the drafting of a settlement agreement.
- 7. Counsel for Allied/CFI has conferred with counsel for TECO and Odyssey concerning the subject of this motion, and represents that neither TECO nor Odyssey opposes the motion.

WHEREFORE, Allied CFI respectfully requests that the Prehearing Officer enter an Order

granting this motion and extending the time for filing of: (1) Allied/CFI's response to TECO's motion to dismiss, may be filed by Thursday, March 1, 2001; and (2) Allied/CFI's responses to Odyssey's motion to strike and motion for summary final order to Friday, March 2, 2001.

Respectfully submitted,

Kenneth A. Hoffman, Esq.

John R. Ellis, Esq.

Rutledge, Ecenia, Purnell & Hoffman, P.A.

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Attorneys for Allied Universal Corporation and Chemical Formulators, Inc.

### **AMENDED CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing Allied/CFI's Unopposed Motion for Extensions of Time for Filing Responses to Motion to Dismiss, Motion to Strike, and Motion for Summary Final Order was furnished by U. S. Mail, or by hand delivery (\*), or telecopier (\*\*), to the following this 28th day of February 2001:

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