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November 26, 2001

HAND DELIVERY

Ms. Blanca S. Bayo, Director
Division of Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Petition of the City of Bartow, Florida Regarding a Territorial Dispute with
Tampa Electric Company, Polk County, Florida; Docket No. 011333-EU

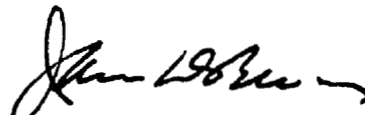
Dear Ms. Bayo:

Enclosed for filing in the above referenced are the original and fifteen (15) copies of Tampa Electric Company's Motion to Stay Discovery.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer.

Thank you for your assistance in connection with this matter.

Sincerely,



James D. Beasley

JDB/bjd
Enclosures

cc: All Parties of Record (w/encl.)

DOCUMENT NUMBER DATE

14907 NOV 26 2001

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of the City of Bartow, Florida)
Regarding a Territorial Dispute with Tampa)
Electric Company, Polk County, Florida)
_____)

DOCKET NO. 011333-EU

FILED: November 26, 2001

MOTION TO STAY DISCOVERY

Tampa Electric Company (“Tampa Electric” or “the company”) files this its Motion pursuant to Rule 28-106.204, F.A.C. to stay discovery in this proceeding and says:

1. This proceeding was initiated by Petition filed by the City of Bartow on October 4, 2001. On October 22, 2001, Tampa Electric filed its Motion to Dismiss contending that the City has failed to allege in its Petition any relevant facts demonstrating changed conditions or changed circumstances that would make modification of the Commission’s order adopting the existing service territory boundaries necessary in the public interest.

2. The express purpose and intent of the existing territorial agreement was to “avoid uneconomic waste, potential safety hazards and other adverse effects that would result in duplication of electric facilities in the same area.” This Motion to Stay Discovery is likewise offered to avoid uneconomic waste of time and expense by either party in answering discovery while Tampa Electric’s Motion to Dismiss is pending before the Commission.

3. As required by Rule 25-106.204(3), counsel for Tampa Electric has conferred with counsel for the City of Bartow and states that the City of Bartow does not agree with this Motion.

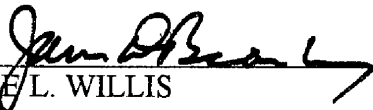
WHEREFORE, Tampa Electric requests that the Prehearing Officer enter an order staying discovery in this matter until the Commission rules on the company's Motion to Dismiss.

DATED this 26th day of November, 2001.

Respectfully submitted,

HARRY W. LONG, JR.
Assistant General Counsel
Tampa Electric Company
Post Office Box 111
Tampa, Florida 33601
(813) 228-1702

and



LEE L. WILLIS
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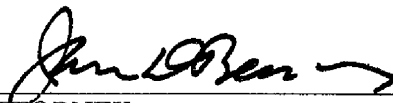
ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Motion to Staff Discovery, filed on behalf of Tampa Electric Company, has been served by hand delivery (*) or U. S. Mail on this 26th day of November 2001 to the following:

Ms. Adrienne Vining*
Staff Counsel
Division of Legal Services
Florida Public Service Commission
Gerald L. Gunter Bldg. – Room 370
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Mr. Davisson F. Dunlap, Jr.
Dunlap & Toole, P.A.
2057 Delta Way
Tallahassee, FL 32303



ATTORNEY

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