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February 20, 2004

Ms. Blanca S. Bayo, Director
Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Conference Center, Room 110
Tallahassee, Florida 32399-0850

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COMMISSION
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Re: Docket No. 040086-EI

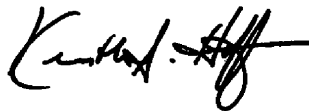
Dear Ms. Bayo:

Enclosed herewith for filing on behalf of Allied Universal Corporation and Chemical Formulators, Inc. ("Allied/CFI") are the original and fifteen copies of Allied/CFI's Motion for Extension of Time to File Response in Opposition to Motions to Dismiss filed by Odyssey Manufacturing Company and Tampa Electric Company.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me. Thank you for your assistance with this filing.

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CAF
CMP
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SEC
OTH

Sincerely,



Kenneth A. Hoffman

KAH/rl

Enclosures

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R.V.N.
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Allied Universal Corporation and)
Chemical Formulators, Inc.'s Petition to)
Vacate Order No. PSC-01-1003-AS-EI)
Approving, as Modified and Clarified, the)
Settlement Agreement between Allied)
Universal Corporation and Chemical)
Formulators, Inc. and Tampa Electric)
Company and Request for Additional)
Relief.)
_____)

Docket No. 040086-EI

Filed: February 20, 2004

**ALLIED UNIVERSAL CORPORATION
AND CHEMICAL FORMULATORS, INC.'S
MOTION FOR EXTENSION OF TIME TO
FILE RESPONSE IN OPPOSITION TO MOTIONS
TO DISMISS FILED BY ODYSSEY MANUFACTURING
COMPANY AND TAMPA ELECTRIC COMPANY**

Allied Universal Corporation and Chemical Formulators, Inc. ("Allied/CFI"), by and through its undersigned counsel, and pursuant to Rule 28-106.204, Florida Administrative Code, hereby move for a fifteen day extension of time up to and until March 12, 2004, for the filing of Allied/CFI's Response In Opposition to the Motions to Dismiss filed by Odyssey Manufacturing Company ("Odyssey") and Tampa Electric Company ("TECO"). In support of this Motion, Allied/CFI states the following:

1. On January 30, 2004, Allied/CFI filed its Petition to Vacate Order No. PSC-01-1003-AS-EI Approving, as Modified and Clarified, the Settlement Agreement between Allied Universal Corporation and Chemical Formulators, Inc. and Tampa Electric Company and Request for Additional Relief ("Petition").

2. On February 19, 2004, Odyssey and TECO each filed a Motion to Dismiss the January 30 Petition. Odyssey served its Motion to Dismiss by facsimile. TECO served its Motion

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to Dismiss by U.S. Mail. Accordingly, under Rules 28-106.104 and 28-106.204(1), Florida Administrative Code, Allied/CFI is required to file its response to the Odyssey Motion on February 26, 2004, and its response to the TECO Motion on March 2, 2004.

3. Pursuant to Rule 28-106.204(5), Florida Administrative Code, Allied/CFI hereby requests that the prehearing officer grant Allied/CFI an additional fifteen days to file its response to Odyssey's Motion to Dismiss and an additional ten days to file its response to TECO's Motion to Dismiss, thereby making Allied/CFI's Response(s) due no later than March 12, 2004. Allied/CFI asserts that the additional time is needed in order to adequately and fully respond to Odyssey's Motion to Dismiss, which is over forty pages, and TECO's Motion to Dismiss which is fourteen pages.

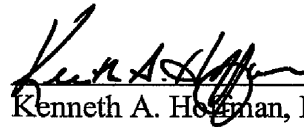
4. In this case, the two Motions exceed fifty pages, the standard limit for an initial appellate brief. Under applicable appellate rules, an appellee is given twenty days plus five days when the initial brief is served to research and prepare an answer brief responding to an initial brief of up to fifty pages.¹ Allied/CFI is aware that the appellate rules do not control the disposition of this Motion but they are relevant and persuasive. Allied/CFI should be granted the requested extension of time to research and prepare its response in opposition to the two lengthy Motions to Dismiss which will also require Allied/CFI to respond to requests for attorneys' fees and sanctions. Furthermore, the parties will not be prejudiced or harmed in any way if Allied/CFI's request is granted.

¹See Fla.R.App.P. 9.210 and 9.420(d).

5. Pursuant to Rule 28-106.204(3), Florida Administrative Code, counsel for Allied/CFI has conferred with the parties to determine whether either Odyssey or Tampa Electric Company object to Allied/CFI's request. Counsel for Odyssey stated that he would agree only to a five day extension for the filing of Allied/CFI's response. Counsel for TECO concurred with Odyssey's position and objected to an extension for the response beyond March 2, 2004.

WHEREFORE, in consideration of the above, Allied Universal Corporation and Chemical Formulators, Inc. respectfully request that it be granted an additional 15 days up to and until March 12, 2004, to respond to the Motions to Dismiss filed by Odyssey and TECO, or for such other relief as the prehearing officer deems appropriate.

Respectfully submitted,



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Attorneys for Allied Universal Corporation
and Chemical Formulators, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by Hand Delivery and U.S. Mail(*) this 20th day of February, 2004, to the following:

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