

ORIGINAL

Matilda Sanders

From: James A. McGee [jmcgee@tampabay.rr.com]
Sent: Friday, July 30, 2004 4:00 PM
To: Filings@psc.state.fl.us
Cc: BArmstrong@ngn-tally.com
Subject: Docket No. 040133-EU, Joint Status Report

This electronic filing is made by

James A. McGee
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Docket No. 040133-EU

In re: Petition of Withlacoochee River Electric Cooperative, Inc., to modify a Territorial Agreement with Progress Energy Florida, Inc., or, in the alternative, to resolve a territorial dispute in Hernando County, Florida.

On behalf of **Progress Energy Florida** and **Withlacoochee River Electric Cooperative**.

Consisting of **3** pages.

The attached document for filing is the parties' **Joint Status Report**, including a filing letter.

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JAMES A. MCGEE
ASSOCIATE GENERAL COUNSEL
PROGRESS ENERGY SERVICE COMPANY, LLC

June 1, 2004

VIA ELECTRONIC FILING

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

Re: Docket No. 040133-EU

Dear Ms. Bayó:

Enclosed for filing in the subject docket on behalf of Progress Energy Florida, Inc., and Withlacoochee River Electric Cooperative, Inc. is the parties Joint Status Report pursuant to Commission Order No. PSC-04-0339-PCO-EU.

Please acknowledge your receipt of the above filing as provided in the Commission's electronic filing procedures. Thank you for your assistance in this matter.

Very truly yours,

s/ James A. McGee

JAM/scc
Enclosures

cc: Brian P. Armstrong, Esquire

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Withlacoochee River
Electric Cooperative, Inc., to modify a
Territorial Agreement with Progress
Energy Florida, Inc., or, in the
alternative, to resolve a territorial
dispute in Hernando County, Florida

Docket No. 040133-EU

Submitted for filing:
July 30, 2004

JOINT STATUS REPORT

Progress Energy Florida, Inc. (Progress Energy) and Withlacoochee River Electric Cooperative, Inc. (WREC), pursuant to Order No. PSC-04-0339-PCO-EU granting Progress Energy's Agreed Upon Motion to Toll Time, file this Joint Status Report and state as follows.

The settlement negotiations described in the Agreed Upon Motion to Toll Time and the parties' previous Joint Status Report remain ongoing. Since the prior Status Report, WREC and Progress Energy have held additional settlement conferences, each of which was preceded and followed by telephone discussions on various related issues. The negotiations have led to the exchange of several specific settlement proposals, and the parties are continuing their efforts to identify and explore various components and combinations thereof capable of providing a properly balanced, mutually acceptable settlement package.

The parties expect that the settlement negotiations should conclude within the next 60 days, recognizing either party may terminate the negotiations at any time if it concludes a successful outcome to be unlikely by filing the seven-day

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termination notice provided for in the Commission's order granting the Motion to Toll Time. Given the time and effort expended by the parties to date pursuing settlement, WREC and Progress Energy believe and represent that additional time is warranted to see their negotiations to conclusion and thereby assure that every opportunity to reach a mutually satisfactory settlement has been fully explored.

The undersigned has been authorized by counsel for WREC to execute this Joint Status Report on WREC's behalf.

Respectfully submitted,

s/ James A. McGee

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