

ORIGINAL

Timolyn Henry

From: Tim Perry [tperry@mac-law.com]  
Sent: Monday, November 01, 2004 4:15 PM  
To: Filings@psc.state.fl.us  
Cc: Joe McGlothlin; Ansley Watson; Adrienne Vining  
Subject: Docket 040278-GU

- a. Joseph A. McGlothlin and Timothy J. Perry, McWhirter Reeves, 117 S. Gadsden Street, Tallahassee, FL 32301, (850) 222-2525, [jmcglothlin@mac-law.com](mailto:jmcglothlin@mac-law.com), [tperry@mac-law.com](mailto:tperry@mac-law.com) are the persons responsible for this electronic filing;
- b. The filing is to be made in Docket 040278-GU, *In re: Petition of Florida Public Utilities Company to Resolve Territorial Dispute with Peoples Gas System*;
- c. The filing is made on behalf of Florida Public Utilities Company and Peoples Gas System;
- d. The total number of pages is 3; and
- e. The attached document is Joint Motion of FPUC and Peoples Gas System for Extension of Time to File Testimony.

Timothy J. Perry  
McWhirter Reeves  
117 S. Gadsden St.  
Tallahassee, FL 32301  
(850) 222-2525  
(850) 222-5606 - Fax  
[tperry@mac-law.com](mailto:tperry@mac-law.com)

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# ORIGINAL

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Florida Public Utilities  
Company To Resolve Territorial Dispute  
With Peoples Gas System

Docket No. 040278-GU  
Filed: November 1, 2004

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### JOINT MOTION OF FPUC AND PEOPLES GAS SYSTEM FOR EXTENSION OF TIME TO FILE TESTIMONY

Florida Public Utilities Company ("FPUC") and Peoples Gas System ("Peoples Gas"), by and through their undersigned counsel, respectfully request the Prehearing Officer to extend the time for the filing of testimony in the above docket to facilitate ongoing settlement discussions, and in support thereof state:

1. As established in Order No. PSC-04-0960-PCO-GU, issued on October 1, 2004, the current schedule calls for pre-filed direct testimony to be filed on November 3, 2004; Staff testimony to be filed on December 3, 2004; and rebuttal testimony to be filed on January 18, 2005.

2. FPUC and Peoples Gas are engaged in settlement discussions which, if fruitful, would eliminate some or all of the issues in this case—potentially expediting the resolution of this case and obviating the need for a hearing in the process. To facilitate those discussions, the parties jointly request the Prehearing Officer to revise the schedule for the filing of testimony.

3. Because the evidentiary hearing is scheduled for March 16, 2004, there is ample room in the existing schedule to accommodate the need to focus on the potential for settlement. An extension of 30 days for the filing of direct testimony, with a commensurate 30-day extension for testimony of Intervenors and Staff and an extension until February 7, 2005, for the filing of rebuttal, will address the parties' procedural needs

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and enable them to explore the possibility of settlement without disturbing the existing deadlines for Prehearing Statements, the Prehearing Conference, and the evidentiary hearing. Accordingly, the parties request the Prehearing Officer to revise the schedule as follows (dates other than those appearing below to remain unchanged):

	<b>EXISTING DATE</b>	<b>REVISED DATE</b>
Direct Testimony (Both Parties)	November 3, 2004	December 3, 2004
Intervenors/Staff Testimony	December 3, 2004	January 3, 2005
Rebuttal Testimony (Both Parties)	January 18, 2005	February 7, 2005

WHEREFORE, FPUC and Peoples Gas request the Prehearing Officer to enter a Revised Order On Procedure incorporating the dates identified above.

s/ Joseph A. McGlothlin  
Joseph A. McGlothlin  
McWhirter Reeves McGlothlin  
Davidson Kaufman & Arnold, P.A.  
117 South Gadsden Street  
Tallahassee, Florida 32301  
Telephone (850) 222-2525  
Facsimile: (850) 222-5606  
[jmclglothlin@mac-law.com](mailto:jmclglothlin@mac-law.com)

Attorneys for Florida Public Utilities  
Company

s/Ansley Watson, Jr.  
Ansley Watson, Jr.  
Macfarlane Ferguson & McMullen  
Post Office Box 1531  
Tampa, Florida 33601-1531  
Telephone: (813) 273-4321  
Facsimile: (813) 273-4396  
[aw@macfar.com](mailto:aw@macfar.com)

Attorneys for Peoples Gas System

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Joint Motion of FPUC and Peoples Gas System for Extension of Time to File Testimony has been provided on this 1st day of November, 2004, by electronic mail and U.S. Mail to:

Adrienne Vining  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399

Ansley Watson  
MacFarlane Ferguson Law Firm  
P. O. Box 1531  
Tampa, FL 33601

s/ Joseph A. McGlothlin  
Joseph A. McGlothlin