

ORIGINAL

Timolyn Henry

From: Tim Perry [tperry@mac-law.com]
Sent: Friday, December 03, 2004 4:47 PM
To: Filings@psc.state.fl.us
Cc: Marc Schneidermann; Vicki Gordon Kaufman; Ansley Watson; Adrienne Vining
Subject: Docket No. 040278-GU

- a. Timothy J. Perry, McWhirter Reeves, 117 S. Gadsden Street, Tallahassee, FL 32301, (850) 222-2525, tperry@mac-law.com is the person 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;
- d. The total number of pages is 3; and
- e. The attached document is Florida Public Utilities Company's Request for Relief from Procedural Deadlines.

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

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FPSC-COMMISSION CLERK

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: December 3, 2004

FLORIDA PUBLIC UTILITIES COMPANY'S REQUEST FOR RELIEF FROM PROCEDURAL DEADLINES

Florida Public Utilities Company ("FPUC"), by and through its undersigned counsel, respectfully submits this request to the Prehearing Officer to relieve it from the obligation to comply with the procedural deadlines set forth in Order Nos. PSC-04-1170-PCO-GU and PSC-04-0716-PCO-GU. In support thereof, FPUC states:

1. It is FPUC's understanding that today Peoples Gas System ("Peoples") will file a Motion to be Relieved from Requirements Established by Order Establishing Procedure ("Peoples' Motion"). Peoples' Motion will state that it does not contest FPUC's right to serve the area in dispute set forth in FPUC's Petition to Resolve a Territorial Dispute filed March 30, 2004, and that Peoples does not intend to participate further in this docket. In addition, Peoples' Motion will state that it does not intend to file testimony or exhibits and in this docket, and requests that Peoples be relieved from compliance with Order No. PSC-04-0716-PCO-GU.

2. In light of Peoples' Motion, FPUC requests relief from the obligation to comply with the procedural deadlines, including the deadline for filing direct testimony, set forth in Order Nos. PSC-04-1170-PCO-GU and PSC-04-0716-PCO-GU.

WHEREFORE, FPUC requests that the Prehearing Officer enter an order relieving FPUC from the obligation to comply with the procedural deadlines set forth in Order Nos. PSC-04-1170-PCO-GU and PSC-04-0716-PCO-GU.

DOCUMENT NUMBER-DATE

12871 DEC -3 04

FPSC-COMMISSION CI FRK

s/ Timothy J. Perry
Vicki Gordon Kaufman
Timothy J. Perry
McWhirter Reeves McGlothlin
Davidson Kaufman & Arnold, P.A.
117 South Gadsden Street
Tallahassee, Florida 32301
Telephone (850) 222-2525
Facsimile: (850) 222-5606
vkaufman@mac-law.com
tperry@mac-law.com

Attorneys for Florida Public Utilities Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Relief from Procedural Deadlines has been provided on this 3rd day of December 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/ Timothy J. Perry
Timothy J. Perry