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**Matilda Sanders**

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**Sent:** Tuesday, May 16, 2006 1:33 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** PEF/PRECO Joint Stipulation - Dkt# 060277-EU  
**Attachments:** Joint Stipulation.pdf

**This electronic filing is made by**

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**Docket No. 060277-EU**

On behalf of **Progress Energy Florida**

Consisting of **2 pages**.

The attached document for filing in the referenced docket is Progress Energy Florida and Peace River Electric Cooperative's **Joint Stipulation in Response to TECO's Petition For Leave to Intervene** dated May 16, 2006.

<<Joint Stipulation.pdf>>

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Joint Petition to Amend  
Territorial Agreement between  
Progress Energy Florida, Inc. and  
Peace River Electric Cooperative, Inc.

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Docket No.: 060277-EU

Submitted for filing:

MAY 16, 2006

**JOINT STIPULATION**

Progress Energy Florida, Inc. ("PEF") and Peace River Electric Cooperative, Inc. ("PRECO"), hereby submit this Joint Stipulation in Response to Tampa Electric Company's ("TECO") Petition for Leave to Intervene, filed on April 11, 2006. In support of this Joint Stipulation, PEF and PRECO state as follows:

1. On April 11, 2006, TECO filed a Petition for Leave to Intervene in this matter. In that Petition, TECO raises concerns that PEF and PRECO's Joint Petition to Amend Territorial Agreement in this matter could be read to be in conflict with TECO's rights and obligations under its currently effective service territory agreement as approved by Order No. 17585, issued in Docket No.: 870303-EU on May 22, 1987. Specifically, TECO raises the concern that the PEF/PRECO Amended Territorial Agreement could be read to allow PEF to serve phosphate mining electrical load in areas where TECO would have the right to serve such load.

2. PEF and PRECO hereby file this Joint Stipulation to make clear that it is neither the intent nor the desire of PEF or PRECO for PEF to be allowed to serve any phosphate mining electrical load where other electric utilities, such as TECO, have the right to serve such load. As stated in PEF's and PRECO's Joint Petition to Amend Territorial Agreement, PEF and PRECO wish only to further clarify and define PEF's rights to serve certain phosphate mining customers in PRECO's service

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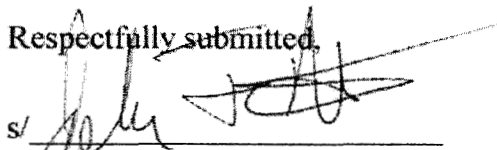
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territory within the boundaries and parameters of the current territorial agreement between PEF and PRECO.

3. WHEREFORE, PEF and PRECO hereby jointly stipulate that the intent of PEF and PRECO's Joint Petition to Amend Territorial Agreement is only to further clarify and define PEF's rights to serve certain phosphate mining customers in PRECO's service territory within the boundaries and parameters of the current territorial agreement between PEF and PRECO, and that PEF does not wish to act in conflict with any other existing territorial agreements such as territorial agreements that now exist between TECO and other entities.

Respectfully submitted,

  
s/ John T. Burnett  
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