

Ruth Nettles

From: John W.McWhirter [jmcwhirter@mac-law.com]
Sent: Thursday, July 19, 2007 5:36 PM
To: Filings@psc.state.fl.us
Cc: Alex.Glenn; D Triplett; Harold McLean; J Michael Walls; James W. Brew; Jeffry Pollock; Joe McGlothlin; John Office McWhirter ; Karin S. Torain; Lisa Bennett; Mike Twomey; Patty Christensen, Esq.; Paul Lewis; Schef Wright
Subject: FIPUG Motion for Official Notice
Attachments: 07720 Dkt 070052-EI FIPUG's Motion for FPSC to take official notice of certain records and orders.doc

ORIGINAL

1. John W. McWhirter, Jr., 400 N. Tampa St. Tampa, FL 33602, jmcwhirter@mac-law.com is the person responsible for this electronic filing;
2. The filing is to be made in Docket 070052-EI, In re: Progress Energy to Recover CR#3 Costs
3. The filing is made on behalf of the Florida Industrial Power Users Group;
4. The total number of pages is 2; and
5. The attached document is the FIPUG Motion for Official Notice

John W. McWhirter, Jr.
McWhirter Davidson & McLean, PA.
400 N. Tampa St
Suite 2450
Tampa, FL 33602
813.224.0866
813.221.1854 FAX

DOCUMENT NUMBER-DATE

06120 JUL 20 5

FPSC-COMMISSION CLERK

7/20/2007

Petition for cost recovery through) Docket No.: 070052-EI
fuel clause, by Progress Energy Florida) Filed July 20, 2007

THE FLORIDA INDUSTRIAL POWER USERS GROUP'S
MOTION FOR OFFICIAL NOTICE

The Florida Industrial Power Users Group (FIPUG) under the provisions of § 90.201 *Florida Statutes* requests the Commission to take official notice of the following documents contained in its public records:

1. Order 8160 Docket 770316 dated February 2, 1978 authorizing Florida Power Corporation to modify its base rates to reflect the true net savings resulting from the generation of electricity from its Crystal River Nuclear Unit.
2. Review of 2006 Ten Year Site Plans dated December 2006
3. Progress Energy Florida Ten Year Site Plans filed on or about April 1 in the years 2005, 2006 and 2007.
4. Rule 25-22.071 Submission of Ten Year Site Plans
5. Rule 25-6.035 Adequacy of Resources
6. PSC Order PSC-06-972-FOF-EI dated November 22, 2006 relating to cost recovery for environmental costs
7. PSC Order PSC-06-994-FOF-EG dated November 30, 2006 relating to cost recovery for conservation costs.
8. PSC Order PSC-06-1057-FOF-EG dated December 22, 2006 relating to cost recovery for fuel, hedging, security, capacity, generating incentives and miscellaneous other cost recovery items.

DOCUMENT NUMBER-DATE

06120 JUL 10 8

FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE

I, **HEREBY CERTIFY** that a true and correct copy of the foregoing document sponsored by FIPUG has been furnished by electronic and regular mail this 9th day of July, 2007, to the following:

Paul Lewis
Progress Energy Florida, Inc.
106 E. College Ave., Suite 800
Tallahassee, FL 32301-7740

James M. Walls/Dianne M. Tripp
P.O. Box 3239
Tampa, FL 33607-5736

John T. Burnett/R. Alexander Glenn
Post Office Box 14042
St. Petersburg, FL 33733

Robert Scheffel Wright
225 S. Adams Street, Ste. 200
Tallahassee, FL 32301

Mike Twomey
P.O. Box 5256
Tallahassee, FL 32314

Beth Keating
106 E. College Ave. Ste. 1200
Tallahassee, FL 32301

Lisa Bennett
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Karin S. Torain
PCS Administration (USA), Inc
Suite 400
1101 Skokie Boulevard
Northbrook, IL 60062

James W. Brew
Brickfield, Burchette, Ritts & Stone, P.C.
1025 Thomas Jefferson St., NW
Eighth Floor, West Tower
Washington, DC 20007-5201

Joseph A. McGlothlin
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400

\s\John W McWhirter, Jr.
John McWhirter Fl Bar # 53905
McWhirter Davidson & McLean PA
400 N. Tampa Street, Ste. 2450
Tampa, FL 33602
813.224.0866