



Docket Number
100282-EU

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COMMISSION
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May 12, 2010

VIA HAND DELIVERY

Ms. Ann Cole, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Joint Petition to Amended Territorial Agreement and to modify the territorial boundaries between Withlacoochee River Electric Cooperative, Inc. and Progress Energy Florida, Inc.; Docket No. 100282-EU

Dear Ms. Cole:

On behalf of Progress Energy Florida, Inc. ("PEF") and Withlacoochee River Electric Cooperative, Inc. ("WREC"), please find enclosed for filing the joint petition to amend the territorial agreement between WREC and PEF approved by the Commission per Order No. PSC-06-0202-PAA-EU on March 14, 2006. The purpose of this joint petition is to request a modification of the boundary at the Crystal Paradise Estates – Units 3 & 4 – Unrecorded area in Citrus County.

Thank you for your assistance in this matter.

Sincerely,

John T. Burnett
John T. Burnett

- COM _____
- APA _____
- ECR _____
- GCL _____
- RAD _____
- SSC _____
- ADM _____
- OPC _____
- CLK _____

JTB/lpw

cc: Gail T. Simpson (PEF)
Billy Brown, Esq. (WREC)

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to amend territorial agreement and to modify territorial boundaries between Withlacoochee River Electric Cooperative, Inc. and Progress Energy Florida, Inc.

Docket No. 100282-EU

Filed: May 12, 2010

JOINT PETITION TO AMENDED TERRITORIAL AGREEMENT

Progress Energy Florida, Inc. ("PEF") and Withlacoochee River Electric Cooperative ("WREC") (collectively, the "Parties") petition the Florida Public Service Commission ("the Commission") to amend the current Territorial Agreement between PEF and WREC that was approved by the Commission per Order No. PSC-06-0202-PAA-EU on March 14, 2006, for the purposes of boundary modification at the Crystal Paradise Estates – Units 3 & 4 – Unrecorded area in Citrus County, Florida and hereby stipulate and agree as follows:

1. PEF and WREC are electric utilities organized under the laws of Florida and are subject to the regulatory jurisdiction of the Commission pursuant to Section 366.04(2), F.S. PEF's principal offices are located in St. Petersburg, Florida. WREC's principal offices are located in Dade City, Florida.

2. All pleadings, notices and other communications in this matter should be served on the undersigned representatives for the Parties.

3. WREC and PEF are parties to a currently effective amended and consolidated territorial agreement delineating their respective territories which was approved by the Commission in Order No. PSC-06-0202-PAA-EU, issued March 14, 2006, in Docket No. 040133-EU.

4. The area that requires a boundary modification is known as the Crystal Paradise Estates – Units 3 & 4 – Unrecorded area and is located in Citrus County, Florida. PEF desires to

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transfer these parcels to WREC due to a requirement by Citrus County for PEF to vacate the County's right-of-way that currently crosses a runway within the Crystal River Airport due to permitting reasons. The single-phase line that currently runs beneath the airport runway serves the customers in Crystal Paradise Estates within PEF's service territory. In order to serve these customers without access to the right-of-way within the airport, PEF would need to build additional miles of distribution through wetlands and private easements. WREC currently serves the majority of customers in Crystal Paradise Estates and has facilities within close proximity to the customers served by PEF. To best avoid duplication of services and wasteful expenditures as well as to best protect the public health and safety, this petition sets forth map, Exhibit A, identifying the re-defined territorial boundary to which the Parties have agreed.

5. Approximately thirty-one (31) customers located within PEF's service territory in Citrus County under the Territorial Agreement between the Parties will be transferred to WREC. The customers to be transferred are set forth in Exhibit B.


6. The distribution facilities of PEF used exclusively for providing service to customers transferred pursuant to this petition, will be transferred in conjunction with the customers, pursuant to the terms of the currently approved agreement between the Parties.

7. Prior to the filing of this Joint Petition, all customers subject to transfer under the proposed amended agreement have been sent written notification of the amended agreement between WREC and PEF, the transfer provisions described above, the necessity of Commission approval, and their opportunity to be heard in this regard. A sample copy of the letter providing such notification to the affected customers is contained in Exhibit C. A summary of the responses ultimately received, if any, will be provided by supplemental filing.

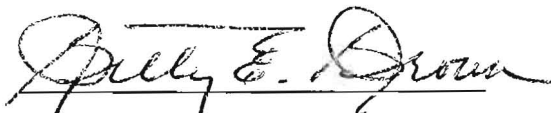
Other than changing the boundaries in regards to the above stated parcels, there are no other proposed changes to the current territorial agreement approved by the Commission.

WHEREFORE, the Parties respectfully requests that the Commission grant this Petition as expeditiously as possible to facilitate Citrus County's request to vacate and approve this minor amendment to the current agreement between the Parties to allow the boundary modification as set forth herein.

Respectfully submitted,



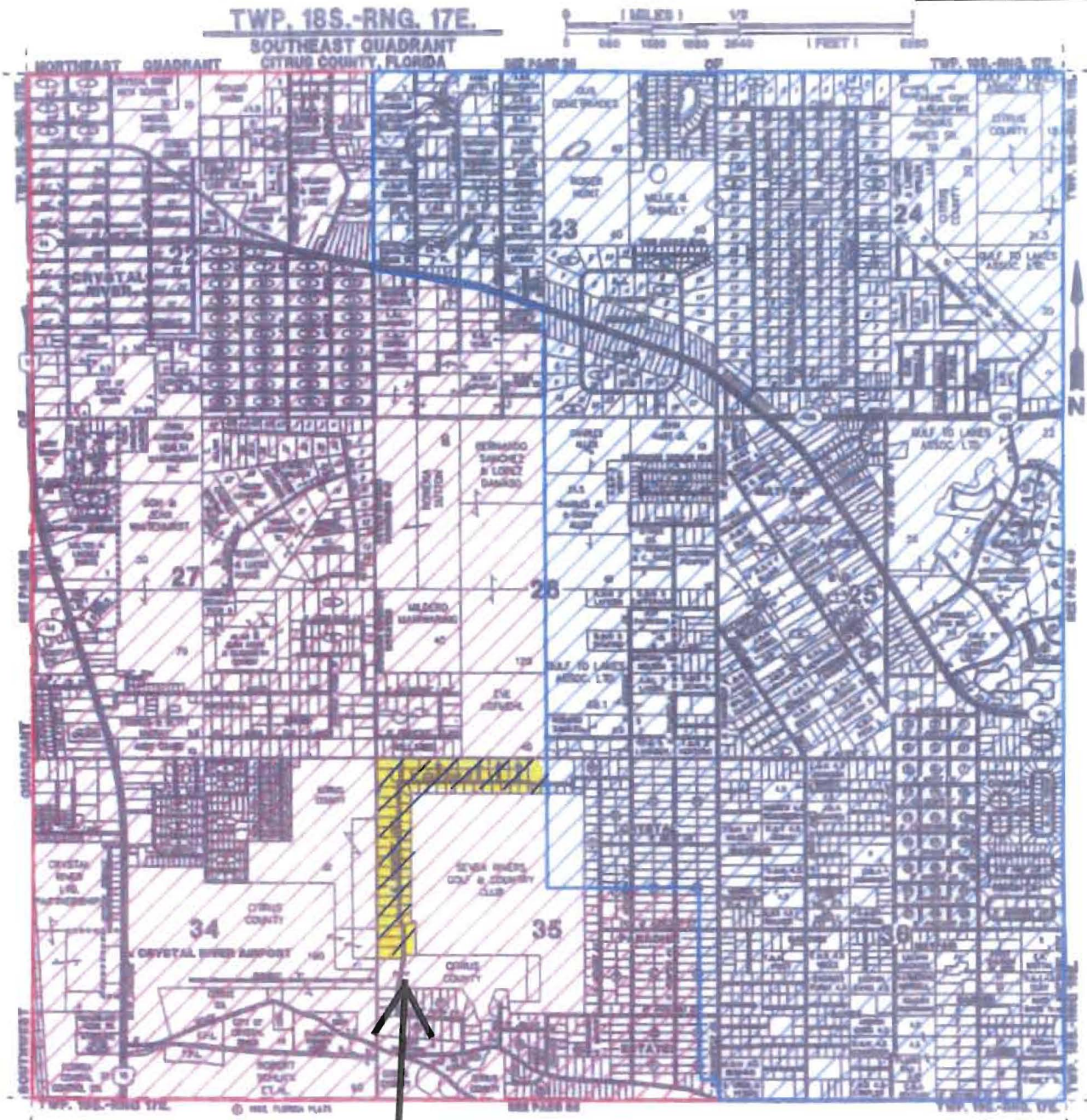
John T. Burnett
Associate General Counsel
Progress Energy Service Company, LLC
Post Office Box 14042
St. Petersburg, FL 33733-4042
Telephone: (727) 820-5184
Facsimile: (727) 820-5519
Attorney for
Progress Energy Florida, Inc.



Billy Brown, Esquire
Withlacoochee River Electric Cooperative, Inc.
P.O. Box 278
Dade City, Florida 33526-0278
Telephone: (352) 567-5133
Facsimile: (352) 521-5971
Attorney for Withlacoochee River Electric Cooperative, Inc.

Exhibit A

Map Depicting the
Proposed Boundary Modification
of Progress Energy Florida
Customers to be Transferred to
Withlacoochee River Electric
Cooperative, Inc.



Re-defined Territorial Boundary
for Service by WREC

-  WITHLACOOCHEE RIVER ELECTRIC
-  PROGRESS ENERGY

Exhibit B

List of customers to be
transferred from Progress Energy
Florida to Withlacoochee River
Electric Cooperative, Inc.

Exhibit B

List of customers to be transferred from Progress Energy Florida to
Withlacoochee River Electric Cooperative, Inc.

| | <i>Customer Name</i> | <i>Premise Address</i> |
|----|----------------------|---|
| 1 | Robert E. Lewis | 7450 W. Golf Club Street Crystal River, FL 34429 |
| 2 | Margaret Culbertson | 7460 W. Golf Club Street Crystal River, FL 34429 |
| 3 | James C. Wenger | 7538 W. Golf Club Street Crystal River, FL 34429 |
| 4 | L.B. Dupree, Jr. | 7606 W. Golf Club Street Crystal River, FL 34429 |
| 5 | Georgia Stewart | 7618 W. Golf Club Street Crystal River, FL 34429 |
| 6 | Werner M. Krupp | 7628 W. Golf Club Street Crystal River, FL 34429 |
| 7 | John Cowan | 7640 W. Golf Club Street Crystal River, FL 34429 |
| 8 | Merle Schindle | 7710 W. Golf Club Street Crystal River, FL 34429 |
| 9 | Charles Slaughter | 7722 W. Golf Club Street Crystal River, FL 34429 |
| 10 | Mark Valeri | 7729 W. Golf Club Street Crystal River, FL 34429 |

Exhibit B

List of customers to be transferred from Progress Energy Florida to
Withlacoochee River Electric Cooperative, Inc.

| | | |
|----|-------------------|---|
| 11 | Carol Thompson | 7732 W. Golf Club Street Crystal River, FL 34429 |
| 12 | James Moss | 7802 W. Golf Club Street Crystal River, FL 34429 |
| 13 | Arnold Stone | 7812 W. Golf Club Street Crystal River, FL 34429 |
| 14 | Gary Gribbon | 7836 W. Golf Club Street Crystal River, FL 34429 |
| 15 | Richard Laxton | 511 N. Golf Course Drive Crystal River, FL 34429 |
| 16 | Eleanor Shepherd | 533 N. Golf Course Drive Crystal River, FL 34429 |
| 17 | Alan Zweigbaum | 625 N. Golf Course Drive Crystal River, FL 34429 |
| 18 | Donald Matezevich | 637 N. Golf Course Drive Crystal River, FL 34429 |
| 19 | Patricia Hill | 705 N. Golf Course Drive Crystal River, FL 34429 |
| 20 | Vernice Henry | 717 N. Golf Course Drive Crystal River, FL 34429 |
| 21 | James D. Gilbert | 727 N. Golf Course Drive Crystal River, FL 34429 |

Exhibit B

List of customers to be transferred from Progress Energy Florida to
Withlacoochee River Electric Cooperative, Inc.

| | | |
|----|-------------------------------------|---|
| 22 | Stephen Hlay | 739 N. Golf Course Drive Crystal River, FL 34429 |
| 23 | Bobby Hayslip | 809 N. Golf Course Drive Crystal River, FL 34429 |
| 24 | Claude Hirsch | 821 N. Golf Course Drive Crystal River, FL 34429 |
| 25 | Michael Devitt | 833 N. Golf Course Drive Crystal River, FL 34429 |
| 26 | Thomas A. Hertzog | 915 N. Golf Course Drive Crystal River, FL 34429 |
| 27 | Seven Rivers Golf & Country Club | 7395 West Pinebrook Street PUMP CPE#V Golf Course Crystal River, FL 34429 |

Exhibit C

Sample notification letter to
customers transferring from
Progress Energy Florida to
Withlacoochee River Electric
Cooperative, Inc.



May ____, 2010

Customer Name
XXXXXXXXXX
XXXXXXXXXX

RE: Progress Energy Account XXXXXX
XXXXXXXXXXXXX
Crystal River, FL 34429

Dear _____:

To ensure that electric utilities in Florida, such as Progress Energy Florida, Inc. (PEF) are able to provide reliable and economical electric service to their customers, utilities enter into territorial agreements establishing the geographic areas in which each utility is the exclusive provider of electric service to avoid the unnecessary and uneconomic construction of duplicate electrical facilities to serve their customers. Approval from the Florida Public Service Commission (FPSC) is required to modify the service territory boundaries.

Over the past many years, we at PEF have had the pleasure of serving customers in your area due to territorial agreements approved by the FPSC. Due to access, safety and operational issues, PEF needs to modify its current territorial boundary. The boundary modification must be approved by the FPSC before it can become effective and you have the opportunity prior to approval to provide your comments to the FPSC. If you wish, we will provide the pertinent contact information for the FPSC when the territorial boundary modification has been filed and docketed.

If approved by the FPSC, your account will be transferred to our neighboring utility, Withlacoochee River Electric Cooperative, Inc. (WREC). You will not need to do anything to initiate this transfer as PEF and WREC will handle all of the arrangements on your behalf. If you have a deposit with Progress Energy, your deposit will be refunded directly to you. WREC may require a deposit and will notify you if this is the case. There will be a minimal interruption of service during the transfer of your account and you will be notified in advance of the date and timeframe of transfer.

To provide you with a rate comparison, in March 2010, the residential rate of PEF for 1,000 kilowatt hours (KWH) was \$126.90. For the same month, the residential rate of WREC for 1,000 kilowatt hours (KWH) was \$121.67. The rates of both utilities are subject to periodical change and may be raised or lowered in the future.

Please let us know if you have any questions about the proposed transfer of your service to WREC. You can reach us here at Progress Energy by phone at 1-800-510-0140 or at the address shown below.

Sincerely,

Customer Service