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April 8, 2004

VIA HAND DELIVERY

Blanca S. Bayo, Director
Division of Records and Reporting
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida 32399-0870

Re: Docket No.: 031057-EI

Dear Ms. Bayo:

On behalf of the Citizens of the State of Florida (OPC), the Florida Industrial Power Users Group (FIPUG), and Progress Energy Florida, enclosed for filing and distribution are the original and 15 copies of the following:

- ▶ Joint Motion for Extension of Time to File Testimony.

Please acknowledge receipt of the above on the extra copy and return the stamped copy to me. Thank you for your assistance.

Sincerely,

Vicki Gordon Kaufman
Vicki Gordon Kaufman

AUS _____
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Progress Energy Florida, Inc.'s
benchmark for waterborne transportation
transactions with Progress Fuels.

Docket No.: 031057-EI
Filed: April 8, 2004

**JOINT MOTION FOR EXTENSION OF TIME TO
FILE TESTIMONY**

The Citizens of the State of Florida (OPC), the Florida Industrial Power Users Group (FIPUG), and Progress Energy Florida (Progress Energy) (jointly, Movants), pursuant to rule 28-106.204, Florida Administrative Code, file this Joint Motion for Extension of Time to file Intervenor testimony in this case. In support thereof, Movants state:

1. Pursuant to Order No. PSC-04-0067-PCO-EI, Order Establishing Procedure, Intervenor testimony was due in this docket on April 7, 2004.

2. On April 2, 2004, Movants moved for a one-week extension of time to file intervenor testimony as the parties were engaged in settlement discussions. That motion was granted in Order No. PSC-04-0375-PCO-EI (First Order Revising Procedure), giving Intervenors until April 14, 2004 to file their testimony.¹

3. The parties continue to engage in good faith settlement discussions in this docket and remain hopeful that a settlement will be reached.

4. However, on April 2, 2004, Commission Staff filed its confidential waterborne transportation audit and workpapers² of Progress Energy. While the contents of the audit are confidential, information in the audit bears directly on the issues in this case as well as the potential settlement for settlement of such issues. Intervenors and their witnesses must have sufficient time to analyze the audit and the company's response to the audit for purposes of

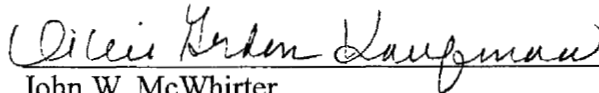
¹ On April 6, 2004, OPC filed a motion to compel Progress Energy to respond to discovery. OPC and FIPUG requested an extension of 7 days from the receipt of such response to file their testimony. This motion is pending and must be ruled upon prior to the filing of Intervenor testimony.

² OPC and FIPUG have requested copies of the audit and workpapers from the Commission.

settlement and/or the preparation of testimony. Progress Energy intends to respond to some of the conclusions of the audit with which it disagrees.³

5. Given the need to analyze the Staff audit and the company's response, additional time will be required by the parties to thoroughly explore the opportunities for settlement. In the absence of an extension of time to file their testimony, Intervenors will have no choice but to immediately devote their time and considerable expense to the preparation of testimony, and thereby seriously jeopardize the possibility of settlement. Therefore, Movants request an extension of time to April 28, 2004 to file Intervenor testimony. Intervenors have no objection to moving the due dates for Staff's testimony and Progress Energy's rebuttal testimony a comparable period to May 12 and 26, 2004, respectively.

WHEREFORE, Movants request the Prehearing Officer to enter an order permitting Intervenors to file their testimony on April 28, 2004.



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³ Progress Energy has 10 days to respond to the audit.

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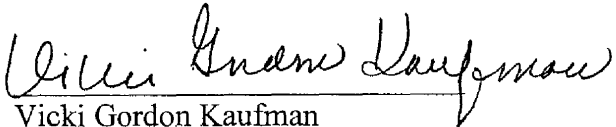
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Attorney for Progress Energy

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Emergency Joint Motion for Extension of Time to File Testimony has been furnished by (*) hand delivery, (**) email, and U.S. Mail this 8th day of April 2004, to the following:

(*)Wm. Cochran Keating IV
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399


Vicki Gordon Kaufman