

ORIGINAL

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September 14, 2004  
Via Email

James D. Beasley  
Ausley & McMullen  
227 South Calhoun Street  
Tallahassee, FL 32301

Re: Docket No. 031033

Dear Jim:

I am responding to your letter of September 13<sup>th</sup> on behalf of the Office of Public Counsel, the Residential Consumers, and the Florida Industrial Power Users Group. In your letter you suggest that the Commission's consideration of the TECo item relating to TECo's waterborne transportation contract be deferred from the September 21<sup>st</sup> agenda. This item has already been put off once (due to Hurricane Frances) and we see little to be gained by further delaying the Commission's consideration of this matter. Therefore, we cannot acquiesce to deferral of this item.

As you are aware, the parties have already met and discussed settlement several times without success. Your recent unilateral "settlement offer" tendered to the Commission has been rejected by our clients as too little, too late. Immediate and substantial rate reductions are called for by the record, but have not been forthcoming. This case has been tried and a recommendation has been filed. We believe it is time for the Commission to make a decision.

- CMP \_\_\_\_\_ Sincerely,
- COM \_\_\_\_\_ *Vicki Gordon Kaufman*
- CTR \_\_\_\_\_ Vicki Gordon Kaufman
- GCL \_\_\_\_\_ Cc: Chairman Braulio L. Baez
- OPC \_\_\_\_\_ Richard Melson
- MMS \_\_\_\_\_ Parties of record
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SEC 1
- OTH \_\_\_\_\_

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04 SEP 17 AM 10:25  
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MCWHIRTER, REEVES, MCGLOTHLIN, DAVIDSON, KAUFMAN & ARNOLD, P.A.

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