

ORIGINAL

Timolyn Henry

From: James A. McGee [jmcgee@tampabay.rr.com]  
Sent: Monday, October 04, 2004 10:28 AM  
To: Filings@psc.state.fl.us  
Cc: BArmstrong@ngn-tally.com  
Subject: Docket No. 040133-EU, Joint Status Report

This electronic filing is made by

James A. McGee  
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Docket No. 040133-EU

In re: Petition of Withlacoochee River Electric Cooperative, Inc., to modify a Territorial Agreement with Progress Energy Florida, Inc., or, in the alternative, to resolve a territorial dispute in Hernando County, Florida.

On behalf of Progress Energy Florida and Withlacoochee River Electric Cooperative.

Consisting of 3 pages.

The attached document for filing is the parties' Joint Status Report, including a filing letter.

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OTH Kim P.

*Done  
10/04/04  
Kim P.*

10/4/2004

DOCUMENT NUMBER-DATE

10632 OCT-4 04

FPSC-COMMISSION CLEAR



ORIGINAL

**JAMES A. MCGEE**  
ASSOCIATE GENERAL COUNSEL  
PROGRESS ENERGY SERVICE COMPANY, LLC

October 1, 2004

VIA ELECTRONIC FILING

Ms. Blanca S. Bayó, Director  
Division of the Commission Clerk  
and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Docket No. 040133-EU

Dear Ms. Bayó:

Enclosed for filing in the subject docket on behalf of Progress Energy Florida, Inc., and Withlacoochee River Electric Cooperative, Inc. is the parties Joint Status Report pursuant to Commission Order No. PSC-04-0339-PCO-EU.

Please acknowledge your receipt of the above filing as provided in the Commission's electronic filing procedures. Thank you for your assistance in this matter.

Very truly yours,

s/ James A. McGee

JAM/scc  
Enclosures

cc: Brian P. Armstrong, Esquire

**ORIGINAL**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Petition of Withlacoochee River  
Electric Cooperative, Inc., to modify a  
Territorial Agreement with Progress  
Energy Florida, Inc., or, in the  
alternative, to resolve a territorial  
dispute in Hernando County, Florida

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Docket No. 040133-EU

Submitted for filing:  
October 1, 2004

**JOINT STATUS REPORT**

Progress Energy Florida, Inc. (Progress Energy) and Withlacoochee River Electric Cooperative, Inc. (WREC), pursuant to Order No. PSC-04-0339-PCO-EU granting Progress Energy's Agreed Upon Motion to Toll Time, file this Joint Status Report and state as follows.

The settlement negotiations described in the Agreed Upon Motion to Toll Time and the parties' previous Joint Status Report have recently resulted in an agreement in principle. The parties anticipate that this agreement in principle will be reduced to a definitive settlement agreement shortly after key representatives have completed service restoration support assignments in the wake of Hurricane Jeanne, at which time the settlement agreement will be submitted to the Commission.

The undersigned has been authorized by counsel for WREC to execute this Joint Status Report on WREC's behalf.

DOCUMENT NUMBER-DATE  
10632 OCT-1 2004  
FPSC-COMMISSION CLERK

Respectfully submitted,

s/ James A. McGee

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Attorneys for  
WITHLACOOCHEE RIVER ELECTRIC  
COOPERATIVE, INC.