

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power
Cost Recovery Clause with Generating
Performance Incentive Factor.

Docket No. 040001-EI
Filed: October 29, 2004

RECEIVED-FPSC
OCT 29 PM 4:22
COMMISSION CLERK

**JOINT REQUEST OF THOMAS K. CHURBUCK AND THE FLORIDA INDUSTRIAL
POWER USERS GROUP FOR ORAL ARGUMENT ON THEIR JOINT MOTION FOR
RECONSIDERATION OF ORDER NO. PSC-04-1018-PCO-EI**

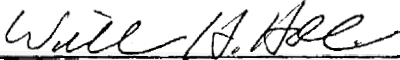
Thomas K. Churbuck ("Churbuck") and the Florida Industrial Power Users Group ("FIPUG") (collectively, the "Joint Movants"), pursuant to Rule 25-22.058, Florida Administrative Code, file this Joint Request for Oral Argument on their Joint Motion for Reconsideration of Order No. 04-1018-PCO-EI. Oral argument on this motion will aid the Commission in understanding the important legal and policy issues involved in the dispute, and will assist the Commission in reaching the appropriate decision in this matter.

WHEREFORE, the Joint Movants request that the Commission grant their request for oral argument.

CMP _____
COM 5
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____
RCA _____
SCR _____
SEC 1
OTH Kim P.
de Hilslof Kauf

RECEIVED & FILED
[Signature]
FPSC-BUREAU OF RECORDS 1


DOCUMENT NUMBER-DATE
11715 OCT 29 04
FPSC-COMMISSION CLERK



JON C. MOYLE, JR.
Florida Bar No. 727016
WILLIAM H. HOLLIMON
Florida Bar No. 104868
MOYLE, FLANIGAN, KATZ, RAYMOND
& SHEEHAN, P.A.
The Perkins House
118 North Gadsden Street
Tallahassee, Florida 32301
(850) 681-3828 (telephone)
(850) 681-8788 (facsimile)
jmoylejr@moylslaw.com
bhollimon@moylslaw.com

JOE REGNERY
Florida Bar No. 0937487
Island Center
2701 North Rocky Point Drive, Suite 1200
Tampa, Florida 33607
(813) 637-7307 (telephone)
(813) 637-7399 (facsimile)
JRegnery@calpine.com

Attorneys for Thomas K. Churbuck



John W. McWhirter
McWhirter, Reeves, McGlothlin, Davidson,
Kaufman, & Arnold, P.A.
400 North Tampa Street, Suite 2450
Tampa, Florida 33602
Telephone: (813) 224-0866
Telecopier: (813) 221-1854

Joseph A. McGlothlin
Vicki Gordon Kaufman
Timothy J. Perry
McWhirter, Reeves, McGlothlin, Davidson,
Kaufman, & Arnold, P.A.
117 South Gadsden Street
Tallahassee, Florida 32301
(850) 222-2525 (telephone)
(850) 222-5606 (fax)

Attorneys for Florida Industrial Power Users
Group

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Federal Express to those listed below with an asterisk and the remainder by U.S. Mail without an asterisk this day the 29th day of October, 2004.

Cochran Keating
Adrienne Vining
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee FL 32399-0850

John T. English
George Bachman
Florida Public Utilities Company
P.O. Box 3395
West Palm Beach FL 33402-3395

Lee Willis
James Beasley
Ausley & McMullen
P.O. Box 391
Tallahassee FL 32302

Vicki Kaufman
Joseph McGlothlin
McWhirter Reeves
117 S. Gadsden Street
Tallahassee FL 32301

Florida Industrial Power Users Group
c/o John W. McWhirter, Jr.
McWhirter Reeves
400 North Tampa Street, Suite 2450
Tampa FL 33602

Bill Walker
Florida Power & Light Company
215 South Monroe Street, Suite 810
Tallahassee FL 32301-1859

*R. Wade Litchfield
Florida Power & Light Company
700 Universe Boulevard
Juno Beach FL 33408-0420

James McGee
Progress Energy Company, LLC
P.O. Box 14042
St. Petersburg FL 33733-4042

Ms. Susan D. Ritenour
Gulf Power Company
One Energy Place
Pensacola FL 32520-0780

Rob Vandiver
Office of Public Counsel
c/o The Florida Legislature
111 W. Madison Street, #812
Tallahassee FL 32399-1400

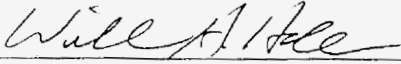
Norman H. Horton
Floyd Self
Messer, Caparello & Self, P.A.
P.O. Box 1876
Tallahassee FL 32302-1876

Ms. Angela Llewellyn
Tampa Electric Company
Regulatory Affairs
P.O. Box 111
Tampa FL 33601-0111

Jeffrey Stone
Russell Badders
Beggs & Lane
P.O. Box 12950
Pensacola FL 32591-2950

*John T. Butler
Steel Hector & Davis LLP
200 South Biscayne Blvd, Suite 4000
Miami FL 33131-2398

Ms. Bonnie E. Davis
Progress Energy Florida, Inc.
106 East College Avenue, Suite 800
Tallahassee FL 32301-7740



Attorney