

ORIGINAL

Timolyn Henry

From: Ansley Watson, JR. [AW@macfar.com]
Sent: Friday, December 03, 2004 3:55 PM
To: Filings@psc.state.fl.us
Cc: kfloyd@peoplesgas.com; Tim Perry; Adrienne Vining; Imbinswanger@tecoenergy.com; wgrimard@peoplesgas.com; jrmclelland@tecoenergy.com; jmcglothlin@mac-law.com
Subject: Docket No. 040278-GU

- a. Ansley Watson, Jr.
 Macfarlane Ferguson & McMullen
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- b. Docket No. 040278-GU – Petition of Florida Public Utilities Company to Resolve Territorial Dispute with Florida Public Utilities Company
- c. Peoples Gas System
- d. Total of three (3) pages
- e. The attached document consists of a cover letter and Peoples Gas System’s Motion to be Relieved from Requirements Established by Order Establishing Procedure.

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12/3/2004

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FDCC COMMISSION OF FLORIDA

ORIGINAL

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IN REPLY REFER TO:

December 3, 2004

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VIA E-FILING

Blanca S. Bayo, Director
Division of Commission Clerk & Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

**Re: Docket No. 040278-GU – Petition of Florida Public Utilities Company to
resolve territorial dispute with Peoples Gas System**

Dear Ms. Bayo:

Enclosed for filing in the above docket on behalf of Peoples Gas System, please find Peoples Gas System's Motion to be Relieved from Requirements Established by Order Establishing Procedure.

Thank you for your usual assistance.

Sincerely,



ANSLEY WATSON, JR.

AWjr/a
Enclosure

cc: Vicki Gordon Kaufman, Esquire
Adrienne Vining, Esquire
Mrs. Kandi M. Floyd
Ms. Angela Llewellyn

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Florida Public Utilities)
Company to resolve territorial dispute)
with Peoples Gas System)

Docket No. 040278-GU

Submitted for Filing:
12-3-04

**PEOPLES GAS SYSTEM'S MOTION
TO BE RELIEVED FROM REQUIREMENTS
ESTABLISHED BY ORDER ESTABLISHING PROCEDURE**

Peoples Gas System ("Peoples"), by its undersigned attorneys, moves the Commission for an order relieving it from compliance with the requirements of the Order Establishing Procedure and Addressing Motion to Revise Procedural Schedule (Order No. PSC-04-0716-PCO-GU) in this docket and, as grounds therefor, says:

1. The Petition of Florida Public Utilities Company ("FPUC") to Resolve Territorial Dispute filed herein on March 30, 2004 (the "Petition") alleged that a territorial dispute existed between Peoples and FPUC with respect to the geographic area described in the Petition as the "disputed area."

2. Peoples does not dispute the right of FPUC to extend its facilities into the disputed area described in the Petition for the purpose of providing natural gas service within the disputed area, and therefore does not intend to file testimony and exhibits disputing the aforesaid right of FPUC, or to further participate as a party in this docket.

WHEREFORE, Peoples respectfully request that it be relieved from compliance with the procedural and other requirements established by Order No. PSC-04-0716-PCO-GU.

DOCUMENT NUMBER-DATE

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Respectfully submitted,

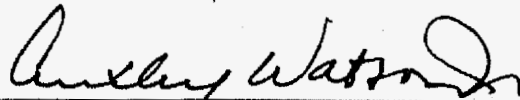


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Attorneys for Peoples Gas System

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Motion has been furnished this 3rd day of December, 2004, by regular and electronic mail, to Joseph A. McGlothlin, Esquire, McWhirter Reeves Law Firm, 117 S. Gadsden Street, Tallahassee, Florida 32301, and Adrienne Vining, Esquire, Office of the General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.



Ansley Watson, Jr.