

ORIGINAL

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the petition of Progress Energy Florida, Inc. for variance or waiver of Rule 25-6.0455(3), Florida Administrative Code, filed July 27, 2004, in Docket No. 040792-EI, was granted by the Commission at its December 7, 2004, Agenda Conference. Order No. PSC-04-1268-PAA-EI, issued December 22, 2004, memorialized the decision. The pertinent portion of the rule provides that a utility's request to exclude outages from its Annual Distribution Service Reliability Report must be filed within 30 days of the date on which the associated outage event occurred. The petition was granted on the basis that the purpose of the statutes underlying the rule would be achieved under the requested rule waiver and that application of the rule would create a substantial hardship to the petitioner. Notice of the petition was published in the FAW on August 13, 2004. A copy of the Order can be obtained from either the Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850) 413-6770 or the Commission's Homepage at <http://www.floridapsc.com>.

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