

ORIGINAL

Matilda Sanders

From: James A. McGee [jmcgee@tampabay.rr.com]
Sent: Wednesday, March 30, 2005 7:25 PM
To: Filings@psc.state.fl.us
Cc: Jennifer Brubaker; Jennifer Rodan; Perry, Tim; McGlothlin, Joe; miketwomey@talstar.com
Subject: Docket No. 041272-EI, Notice Publication Affidavits
Attachments: Affidavits - Service Hearings Notice.pdf

This electronic filing is made by
 James A. McGee
 P.O. Box 14042
 St. Petersburg, FL 33733
 727-820-5184
james.mcgee@pgnmail.com

Docket No. 041272-EI

In re: Petition of Progress Energy Florida for approval of storm cost recovery clause for recovery of extraordinary expenditures related to Hurricanes Charley, Francis, Jeanne and Ivan.

On behalf of **Progress Energy Florida**.

Consisting of **9 pages**.

The documents attached for filing are Progress Energy's Affidavits and Certifications regarding the

CMP publication of service hearing notices,
COM including a filing letter and a certificate of service.

- CTR** _____
- ECR** _____
- GCL** _____
- OPC** _____
- MMS** _____
- RCA** _____
- SCR** _____
- SEC** 1
- OTH** _____

DOCUMENT NUMBER-DATE
 03134 MAR 31 08
 FPSC-COMMISSION CLERK



ORIGINAL

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

March 30, 2005

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. 041272-EI

Dear Ms. Bayó:

Enclosed for filing in the subject docket on behalf of Progress Energy Florida, Inc., are the affidavits and certifications of the St. Petersburg Times, the Tallahassee Democrat, the Lakeland Ledger, the Ocala Star Banner, and the Orlando Sentinel, which attest to the publication in their respective newspapers of notices for the service hearings conducted by the Commission in this proceeding.

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
Enclosure

cc: Parties of record



March 30, 2005

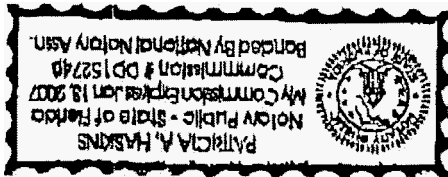
Progress Energy
410 South Wilmington St
PO Box 1551
FEB 14A
RALEIGH NC 27601-1849

ATTESTATION OF PUBLICATION

**STATE OF FLORIDA
COUNTY OF PINELLAS**

Before the undersigned authority personally appeared, Christine Paul, who on oath says that she is a Senior Category Manager in the National/Managers Advertising Department of the St. Petersburg Times, a daily newspaper published in St. Petersburg, Pinellas County, Florida. Client, Progress Energy, ran a 4 x 6, "Storm Service Hearing" ad on March 1, 2005 in the St. Petersburg Times.

Signature Christine Paul
Title Senior Category Manager



Sworn to and subscribed
before me this 30 day of
March, 2005
Patricia A. Hasbans
Notary Public

NOTICE OF PUBLIC HEARINGS

The Florida Public Service Commission has scheduled six customer service hearings as part of its decision-making process in Docket No. 041272-EI, regarding the request of Progress Energy Florida for approval of a storm cost recovery clause to recover extraordinary costs incurred as a result of Hurricanes Charley, Frances, Jeanne and Ivan.

Service Hearing Schedule

The customer service hearings will be conducted by the commission at the times and places indicated below:

Tuesday, March 15, 2005

10 a.m. – 2 p.m.

City Council Chambers, City Hall, 2nd Floor

151 SE Osceola Avenue

Ocala, Florida

Wednesday, March 16, 2005

10 a.m. – 2 p.m.

City Commission Chambers, City Hall

450 North Wilson Avenue

Bartow, Florida

Thursday, March 17, 2005

10 a.m. – 2 p.m.

City Council Chambers, 3rd Floor, City Hall

112 South Osceola Avenue

Clearwater, Florida

Tuesday, March 15, 2005

6 p.m. – 9 p.m.

City Council Chambers, City Hall

120 East Main Street

Apopka, Florida

Wednesday, March 16, 2005

6 p.m. – 9 p.m.

City Council Chambers, 2nd Floor, City Hall

175 5th Street North

St. Petersburg, Florida

Wednesday, March 30, 2005

9:30 a.m.

Room 148, Betty Easley Conference Center

4075 Esplanade Way

Tallahassee, Florida

The purpose of these hearings is to provide customers of Progress Energy Florida the opportunity to testify before the commission on the quality and adequacy of Progress Energy's service restoration activities following the four hurricanes that impacted its service territory in August and September 2004, the appropriate mechanism for recovery of storm-related restoration costs, and other appropriate matters as determined by the commission. Customers who wish to present testimony are urged to appear at the beginning of the hearing, since the hearing may be adjourned early if no witnesses are present to testify.

Customer comments regarding Progress Energy's request may also be submitted to the commission at the following address: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida, 32399-0850. Such comments should refer to Docket No. 041272-EI. In addition, customers may contact Progress Energy with questions or comments relating to the request through its Web site at progress-energy.com/stormhearing.

..., person requiring some accommodation at the service hearings because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at 1-850-413-8770 at least 48 hours prior to the meeting. Any person who is hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD).



43237-01

Internet files should download in seconds, not minutes. Makes sense.

AFFIDAVIT OF DISTRIBUTION

STATE OF Florida)

COUNTY OF Leon)

I, April Spooner, being duly sworn on oath says he/she is and during all times herein stated has been the publisher of the publisher's designated agent in charge of the publication known as

The Tallahassee Democrat ("Publisher")

and has full knowledge of the facts herein stated as follows:

The ad for Progress Energy ("Advertiser") was distributed to Publisher's full circulation on the 1 day of March, 2005.

By: A. Spooner

Subscribed and sworn to before me
this 31st day of 2005. Notary Seal:

Christina James
Notary Public



NOTICE OF PUBLIC HEARINGS

The Florida Public Service Commission has scheduled six customer service hearings as part of its decision-making process in Docket No. 041272-EL regarding the request of Progress Energy Florida for approval of a storm cost-recovery clause to recover extraordinary costs incurred as a result of Hurricanes Charley, Frances, Jeanne and Ivan.

Service Hearing Schedule

The customer service hearings will be conducted by the commission at the times and places indicated below:

Tuesday, March 15, 2005

10 a.m. – 2 p.m.

City Council Chambers, City Hall, 2nd Floor
151 SE Osceola Avenue
Ocala, Florida

Tuesday, March 15, 2005

6 p.m. – 9 p.m.

City Council Chambers, City Hall
120 East Main Street
Apopka, Florida

Wednesday, March 16, 2005

10 a.m. – 2 p.m.

City Commission Chambers, City Hall
450 North Wilson Avenue
Bartow, Florida

Wednesday, March 16, 2005

5 p.m. – 9 p.m.

City Council Chambers, 2nd Floor, City Hall
175 5th Street North
St. Petersburg, Florida

Thursday, March 17, 2005

10 a.m. – 2 p.m.

City Council Chambers, 3rd Floor, City Hall
112 South Osceola Avenue
Clearwater, Florida

Wednesday, March 30, 2005

9:30 a.m.

Room 143, Betty Easley Conference Center
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Tallahassee, Florida

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Any person requiring some accommodation at the service hearings because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at 1-850-413-6770 at least 48 hours prior to the meeting. Any person who is hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD).



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"If it was for real, and ne

recently it has been for bankruptcy reorganization.

"Some people may believe Publix is going to get even stronger," he said.

Mary Tothman can be reached at mary.tothman@theledger.com or 863-802-7533.

restaurants, swimming pools, elevators and public bathrooms.

The case has huge implications for cruise lines, which could be forced to pay for retrofitting ships. The worldwide industry estimates two-thirds of its passengers are Americans.

Goldstein said the National La-

but Americans are not apply to the crews of foreign-flagged vessels that stop in U.S. ports, "but when Americans are involved" circumstances change.

The justices seemed concerned about stepping into an intersection of the law of the sea, U.S. rules and the laws of foreign

countries.

"You are saying the U.S. the world," Justice Ruth Ginsburg told Goldstein.

The passengers drew support for their position from the Justice Department, which says the disabilities act applies.

The cruise lines and disability groups had urged the Supreme Court to take the case, noting federal appeals court Louisiana and Florida reached opposite conclusions on whether the disabilities act applies to the industry.

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6 p.m. - 9 p.m.

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PROGRESS ENERGY FLORIDA

Docket No. 041272-EI

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Affidavits and Certifications regarding Progress Energy Florida's publication of service hearing notices has been furnished to the following individuals by electronic mail the 30th day of March, 2005.

Jennifer Brubaker, Esquire
Jennifer Rodan, Esquire
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Tallahassee, FL 32399-0850

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Joseph A. McGlothlin, Esquire
Office of the Public Counsel
c/o The Florida Legislature
111 West Madison St., Room 812
Tallahassee, FL 32399-1400

s/ James A. McGee

Attorney