

REQUEST FOR CHANGE TO AGENDA CONFERENCE  
HAND DELIVER

ORIGINAL

Date of Request: 7/1/2005 Date of Agenda Conference: 7/5/2005 Item No. 4

Docket No.: 050078-EI Brief Title: Progress Energy Rate Case

Requested by:  Staff  Other Florida Retail Federation  
(Name)

Please attach a copy of the written documentation filed (IF OTHER)

STAFF's Recommendation to Executive Suite (IF OTHER)  Approve Request  Deny Request

**ACTION REQUESTED [see APM 2.11]**

- Defer Item to Agenda Scheduled Date: 7/19/2005
- Change Order of Item or Take Up at Time Certain
- Withdraw Item (not expected to return to Agenda)
- Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing) **A copy of the front page of the recommendation must be provided to CCA by 12 noon on the regular filing date for use as a place-holder during agenda preparation.**
- Add Item to Published Agenda [see Section 120.525(2), F.S.] – Issue an ADDENDUM and give Legal NOTICE
- Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] – Issue an ADDENDUM and Give Fair NOTICE

RECEIVED  
05 JUL -1 PM 2:38  
COMMISSION  
CLERK

**CMP** Concise explanation, justification or comments (attach additional sheet if necessary):

**COM** As stated in the attached documentation, the Florida Retail Federation and South Florida Hospital and Healthcare Association have requested a two-week deferral of Items 3 and 4 on the July 5, 2005, Agenda Conference, which address both parties' similar petitions for rate proceedings. Staff recommends granting the requested deferral. There are no statutory or other deadlines associated with the petitions that are the subject of these items.

**GCL**  
**OPC**  
**MMS**  
**RCA**

**SCR** Signature (Technical Staff): JDT  
**SEC 1** Signature (Legal Staff): SB  
**OTH** Ray, Thompson, Wenz  
**EXECUTIVE DIRECTOR:**

Initials (Division Director or Designee): [Signature]  
Initials (General Counsel or Designee): Ron

Recommendation to the Chairman's Office

Initials: MAB

Comments:

Approve Request  Deny Request

Date: 7/1/05

**CHAIRMAN'S OFFICE:**

Initials: [Signature]

Approve Request  Deny Request

Date: 7/1/05

Executive Suite will send the original to the Division of Commission Clerk & Administrative Services and return copy to the requesting staff after the Chairman's Office takes action on this request. Requesting staff should distribute copies to the Division Directors (OPR & OCR) and Attorney assigned to the docket.

DOCUMENT NUMBER-DATE

06244 JUL -1 05

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July 1, 2005

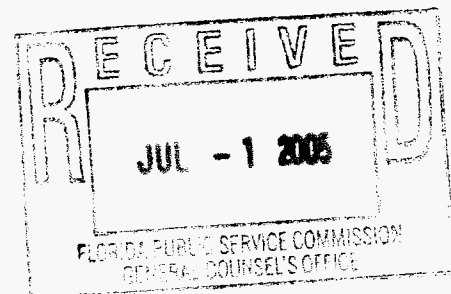
BY HAND DELIVERY

Commissioner Braulio L. Baez, Chairman  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Request for Deferral of Agenda Items 3 & 4 from the July 5,  
2005 Agenda Conference


Dear Chairman Baez,

I am writing to request that you defer the Commission's consideration of Items 3 and 4 (Docket Nos. 050045-EI and 050078-EI) from the Commission's agenda conference from next Tuesday, July 5, until the Commission's agenda conference on Tuesday, July 19. In regard to Docket No. 050045-EI, I make this request on behalf of my client, the Florida Retail Federation, and also on behalf of the South Florida Hospital and Healthcare Association ("SFHHA"), with the authority of their attorney, Kenneth Wiseman. I make this request because our clients are considering alternatives that may moot our pending petitions to conduct general rate cases and associated requests for hearings, which are the subjects of your Staff's recommendation in Docket No. 050045-EI. The purpose of the requested deferral is to allow us two weeks' additional time to further evaluate those alternatives, which may thereby eliminate the need for the Commission to spend its time addressing the pending petitions and requests unnecessarily. I make the same request, for the same reasons, on behalf of the Florida Retail Federation with regard to the FRF's pending petition to conduct a general rate case and request for hearing in Docket No. 050078-EI.



Thank you very much for your consideration. If you have any questions, please give me a call at 681-0311.

Cordially yours,



Robert Scheffel Wright  
LANDERS & PARSONS, P.A.

Attorneys for the  
Florida Retail Federation

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Commissioner J. Terry Deason  
Commissioner Rudolph "Rudy" Bradley  
Commissioner Lisa Polak Edgar  
Richard Melson, Esquire, General Counsel  
W. Cochran Keating, Esquire, Senior Attorney  
Blanca S. Bayo, Commission Clerk and Director of  
Administrative Services

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ALL PARTIES OF RECORD IN DOCKET NO. 050045-EI AND  
DOCKET NO. 050078-EI