

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO.: 060001-EI

Filed: August 30, 2006

**PROGRESS ENERGY FLORIDA, INC.'S REQUEST FOR ORAL ARGUMENT ON
MOTION TO DISMISS CITIZEN'S PETITION FOR ORDER REQUIRING
PROGRESS ENERGY FLORIDA, INC. TO REFUND TO CUSTOMERS \$143
MILLION, REPRESENTING PAST EXCESSIVELY HIGH FUEL COSTS
STEMMING FROM FAILURE TO UTILIZE THE MOST ECONOMICAL
SOURCES OF COALS FOR CRYSTAL RIVER UNITS 4 AND 5**

Progress Energy Florida, Inc. ("PEF" or the "Company"), through its undersigned counsel and pursuant to Rules 25-22.058 and 25-106.104, F.A.C., hereby files PEF's Request for Oral Argument on PEF's Motion to Dismiss Citizen's Petition for Order Requiring Progress Energy Florida, Inc. to Refund to Customers \$143 Million, Representing Past Excessively High Fuel Costs Stemming from Failure to Utilize the Most Economical Sources of Coals for Crystal River Units 4 and 5. In support of PEF's Request, PEF states that:

1. OPC filed its Petition for an order from the Florida Public Service Commission ("FPSC" or the "Commission") requiring PEF to refund fuel costs incurred and recovered over the last decade because OPC claims the "most" economical sources of coals for Crystal River Units 4 and 5 were not used. PEF has filed a Motion to Dismiss OPC's Petition, on grounds that OPC's Petition requires the Commission to engage in improper hindsight review and exceed its statutory jurisdiction in entertaining the full, decade-long refund OPC requests.

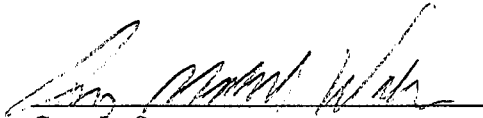
2. PEF believes that oral argument would assist the Commission in understanding just how the Petition requires the Commission to undertake an improper hindsight review and

exceed its jurisdictional limits by considering the relief requested in the Petition to the extent any questions remain which have not been addressed in PEF's Motion.

Wherefore, PEF requests that the Commission grant PEF's Request for Oral Argument on its Motion to Dismiss Citizen's Petition for Order Requiring Progress Energy Florida, Inc. to Refund to Customers \$143 Million, Representing Past Excessively High Fuel Costs Stemming from Failure to Utilize the Most Economical Sources of Coals for Crystal River Units 4 and 5.

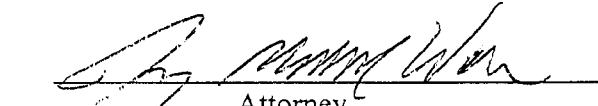
Respectfully submitted this 30th day of August, 2006.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Progress Energy Florida, Inc.'s Request for Oral Argument on PEF's Motion to Dismiss Citizen's Petition For Order Requiring Progress Energy Florida, Inc. to Refund to Customers \$143 Million, Representing Past Excessively High Fuel Costs Stemming from Failure To Utilize The Most Economical Sources of Coals for Crystal River Units 4 and 5 has been furnished by electronic mail and U.S. Mail on this 30th day of August, 2006 to all counsel as listed on the attached service list.


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