

ORIGINAL

Matilda Sanders

From: MAHARAJ-LUCAS.ASHA [MAHARAJLUCAS.ASHA@leg.state.fl.us]
Sent: Thursday, August 31, 2006 2:18 PM
To: Filings@psc.state.fl.us
Cc: McGLOTHLIN.JOSEPH
Subject: 060001-EI Motion for extension
Attachments: 060001 extension motion.doc

CMP _____
 COM 5
 CTR _____
 ECR _____
 GCL _____
 OPC _____
 RCA _____
 SCR _____
 SGA _____
 SEC 1
 OTH Kunr

Electronic Filing

a. Person responsible for this electronic filing:

Joseph A. McGlothlin, Associate Public Counsel
 Office of Public Counsel
 c/o The Florida Legislature
 111 West Madison Street, Room 812
 Tallahassee, FL 32399-1400
 (850) 488-9330
 mcglothlin.joseph@leg.state.fl.us

b. Docket No. 060001-EI

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

c. Document being filed on behalf of Office of Public Counsel

d. There are a total of 4 pages.

e. The document attached for electronic filing is Citizens' Motion for Extension of Time to Respond to PEF's Motion to Dismiss.

(See attached file: 060001 extension motion.doc)

Thank you for your attention and cooperation to this request.

Asha Maharaj-Lucas
 Secretary to Joseph A. McGlothlin, Associate Public Counsel.
 Office of Public Counsel
 Telephone: (850) 488-9330
 Fax: (850) 488-4491

DOCUMENT NUMBER-DATE

07999 AUG 31 08

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Fuel and Purchased Power)
Cost Recovery Clause with)
Generating Performance Incentive)
Factor)
_____)

DOCKET NO. 060001-EI

August 31, 2006

**CITIZENS' MOTION FOR EXTENSION OF TIME TO RESPOND TO PEF'S
MOTION TO DISMISS**

Pursuant to Rule 28-106.204, Florida Administrative Code, the Citizens of the State of Florida, by and through the Office of Public Counsel, move for an order granting Citizens an extension of time of one week, from September 6, 2006, to September 13, 2006 for the filing of Citizens' written response to Progress Energy Florida Inc's (PEF) Motion to Dismiss Citizens' 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 ("Petition").

In support of their motion, Citizens state:

1. Citizens filed their Petition on August 10, 2006.
2. Twenty days thereafter, on August 30, 2006 PEF filed its motion to dismiss the Petition.
3. Absent an extension, Citizens' response to the Motion to Dismiss would fall due on September 6, 2006. PEF's motion is 21 pages in length. The Labor Day holiday falls between the filing of PEF's motion and the date for OPC's response.

DOCUMENT NUMBER-DATE

07999 AUG 31 06

FPSC-COMMISSION CLERK

Because of these factors and other case load commitments, OPC needs an extension of time of one week to file its response.

4. The requested extension of one week will not prejudice any party, and will fit well within the overall case schedule for the processing of the Petition to which Citizens and PEF have agreed, and which they jointly proposed to Staff recently.
5. OPC has discussed its motion for extension of time with Counsel for PEF and is authorized to represent that PEF does not object to the granting of Citizen's motion.

WHEREFORE, Citizens request the Commission to grant this Motion and extend the deadline for the filing of Citizens' Response to PEF's Motion to Dismiss to and including September 13, 2006.

Harold McLean
Public Counsel

s/ Joseph A. McGlothlin
Joseph A. McGlothlin
Associate Public Counsel

Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street
Room 812
Tallahassee, FL 32399-1400

Attorney for the Citizens
of the State of Florida

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Citizens' Motion for Extension of Time to Respond to PEF's Motion to Dismiss has been furnished by electronic mail and U.S. Mail on this 31st day of August, 2006, to the following:

James Beasley
Lee Willis
Ausley Law Firm
P.O. Box 391
Tallahassee, FL 32302

John McWhirter, Jr.
McWhirter, Reeves Law Firm
400 North Tampa Street, Suite 2450
Tampa, FL 33602

Bill Walker
Florida Power & Light Company
215 S. Monroe Street, Suite 818
Tallahassee, FL 32301-1859

R. Wade Litchfield
Florida Power & Light Company
700 Universe Blvd.
Juno Beach, FL 33408-0420

Paul Lewis
Progress Energy Florida, Inc.
106 E. College Ave, Suite 800
Tallahassee, FL 32301-7740

Susan D. Ritenour
Richard McMillan
Gulf Power Company
One Energy Place
Pensacola, FL 32520-0780

Tim Perry
McWhirter Law Firm
117 South Gadsden Street
Tallahassee, FL 32301

Norman H. Horton, Jr.
Fred R. Self
Messer Law Firm
P.O. Box 1876
Tallahassee, FL 32302-1876

John T. Butler, P.A.
Florida Power & Light
9250 West Flagler Street
Miami, FL 33174

Brenda Irizarry
Tampa Electric Company
P.O. Box 111
Tampa, FL 33602-0111

Lisa Bennett
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Michael B. Twomey
Post Office Box 5256
Tallahassee, FL 32314-5256

Thomas K. Churbuck
911 Tamarind Way
Boca Raton, FL 33486

Federal Executive Agencies
Lt. col. K. White/Capt. D. Williams
139 Barnes Drive, Suite 1
Tyndall AFB, FL 32403-5319

Florida Public Utilities Company
Cheryl Martin
P.O. Box 3395
West Palm Beach, FL 33402-3395

Florida Retail Federation
100 E. Jefferson Street
Tallahassee, FL 32301

Gary Sasso
Carlton Fields PA
PO Box 3239
Tampa, FL 33601-3239

Robert Scheffel Wright
John T. LaVia, III
Young van Assenderp, P.A.
215 S. Monroe Street, Suite 810
Tallahassee, FL 32301

Beggs & Lane Law Firm
Jeffery A. Stone
Russell Badders
P.O. Box 12950
Pensacola, FL 32591

John T. Burnett
Progress Energy Service Company
P.O. Box 14042
St. Petersburg, FL 33733

Alexander Glenn
Progress Energy Service Company
P.O. Box 14042
St. Petersburg, FL 33733

s/ Joseph A. McGlothlin
Joseph A. McGlothlin
Associate Public Counsel