



January 23, 2009

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COMMISSION
CLERK

VIA HAND DELIVERY

Ms. Ann Cole, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: *Complaint and petition to rescind approval of territorial agreement between Progress Energy Florida, Inc. and Withlacoochee River Electric Cooperative, Inc. by Mark Williams, as Trustee of S.A. Williams Trust, and S.A. Williams Corporation; Docket No. 090011-EI*

Dear Ms. Cole:

Progress Energy Florida, Inc. ("PEF") and Withlacoochee River Electric Cooperative ("WREC") hereby provides its joint response to the complaint filed on January 2, 2009 by Mark Williams the territorial agreement between PEF and WREC filed in Docket No. 040133-EU and his petition to rescind its approval of the agreement.

The agreement between WREC and PEF was reached and submitted for approval to the FPSC for the purpose of achieving operational efficiency and reducing uneconomic duplication of facilities to the benefit of the customers in the territories served by both parties.

Mr. Williams is a large landowner with hundreds of acres in the area covered by the agreement. Service from more than one utility is not uncommon across a large area such as this. Mr. Williams will not experience a loss of reliability under the current agreement approved in 2006. He will continue to be provided three phase service which does not require a dedicated substation to his property.

Both WREC and PEF have attempted to work with Mr. Williams to affect the transfer of his service required under the current agreement approved by the Commission in March 2006. We believe it will be in all the parties' interest to utilize the Commission's mediation process to resolve outstanding issues.

Thank you for your attention to this matter. Should you have any questions, please feel free to call me at (727) 820-5184.

Sincerely,

John T. Burnett
John T. Burnett

JTB/lms

cc: Gail Simpson (PEF)
Billy Brown (WREC)
Duane Vann (WREC)
Michael Kamprath, Esq. (Thresher P.A.)

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