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090002-EG

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Subject: Docket No. 090002-EG
Attachments: FIPUG Motion for Extension of Discovery Deadline 10.12.09.pdf

In accordance with the electronic filing procedures of the Florida Public Service Commission, the following filing is made:

a. The name, address, telephone number and email for the person responsible for the filing is:

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b. This filing is made in Docket No. 090002-EG, In re: Energy conservation cost recovery clause.

c. The document is filed on behalf of Florida Industrial Power Users Group.

d. The total pages in the document are 3 pages.

e. The attached document is FIPUG's Motion for Extension of Discovery Deadline.

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DOCUMENT NUMBER-DATE

10465 OCT 12 09

FPSC-COMMISSION CLERK

10/12/2009

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy conservation cost recovery
clause.

DOCKET NO. 090002-EG
FILED: October 12, 2009

**THE FLORIDA INDUSTRIAL POWER USER GROUP'S
MOTION FOR EXTENSION OF DISCOVERY DEADLINE**

The Florida Industrial Power Users Group (FIPUG), pursuant to rule 25-106.204, Florida Administrative Code, file this motion for a brief extension of the discovery deadline in this docket. As grounds therefore, FIPUG states:

1. FIPUG is an intervenor in this docket. Because FIPUG received the testimony of Florida Power and Light Company (FPL) on September 14th and that of Progress Energy Florida (PEF) on September 15, 2009, FIPUG sought and received an extension of time to file its testimony in this case. Order No. PSC-09-0663-PCO-EG. FIPUG also promptly served discovery in this case upon receiving the utilities' testimony.

2. FIPUG has received discovery responses from PEF and partial responses from FPL (though FPL has advised FIPUG that the remainder of the responses will be served today).

3. As is often the case, these discovery responses (as to FPL) raised additional questions. Thus, FIPUG seeks to send an additional short set of additional discovery to FPL, which it served simultaneously with this motion.

4. The Order on Procedure in this case sets October 20th as the discovery cutoff date with a 20-day turn around for discovery responses. Order No. PSC-09-0184-PCO-EG at 3.

5. So that FIPUG may receive answers to its short discovery questions to FPL, it asks that the discovery deadline be extended to October 23rd and that FPL be required to respond to FIPUG's discovery by October 23rd.

6. Since FIPUG's discovery requests are short and focused, this should cause no prejudice to FPL.

7. Pursuant to rule 28-106.204(3) FIPUG has attempted to contact the parties to this docket and is authorized to represent that PEF and FPUC have no position. The other parties have not provided their position.

WHEREFORE, FIPUG requests that the discovery deadline be extended to October 23rd and that FPL be required to respond to FIPUG's discovery by that date

s/ Vicki Gordon Kaufman

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CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Florida Industrial Power Users Group's Motion for Extension of Discovery Deadline was served via Electronic Mail and First Class United States Mail this 12th day of October, 2009, to the following:

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