

080677-EI
090079-EI

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Sent: Monday, October 12, 2009 3:06 PM
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Subject: Docket No. 080677-EI and 090079-EI
Attachments: FIPUG Response to Request for Brief 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. 080677-EI, In re: Petition for increase in rates by Florida Power & Light Company; and Docket No. 090130-EI, In re: 2009 depreciation and dismantlement study by Florida Power & Light Company and Docket No. 090079-EI, In re: Petition for increase in rates by Progress Energy Florida, Inc..

- c. The document is filed on behalf of Florida Industrial Power Users Group.
- d. The total pages in the document are 4 pages.
- e. The attached document is FIPUG's Response to Request for Brief.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for increase in rates by Florida Power & Light Company.	DOCKET NO. 080677-EI
In Re: Petition Increase in Rates by Progress Energy Florida, Inc.	DOCKET NO. 090079-EI
	FILED: October 12, 2009

FIPUG RESPONSE TO REQUEST FOR BRIEF

On the afternoon of Thursday October 8, 2009, the Florida Industrial Power Users Group (FIPUG) received an email request from the Commission's Acting General Counsel, Ms. Helton, seeking briefs on a number of legal and policy issues related to Governor Crist's request that the Commission postpone its decision on Florida Power and Light Company's (FPL) rate case and Progress Energy Florida, Inc.'s (PEF) rate case until the newly-appointed Commissioners take office. Ms. Helton requested such briefs by noon on Monday, October 12th, giving FIPUG less than two business days to consult with its client (which is a group of companies), formulate a position, and research and brief the issues. Unfortunately, this is simply not enough time for FIPUG to comply with Ms. Helton's request.

FIPUG realizes that this is an important matter and it appreciates the Commission's desire to have input from the affected parties. However, FIPUG simply cannot meaningfully consult with its client and respond in the requested timeframe.

FIPUG reserves the right to appear at the October 27th Agenda Conference and to address the Commission on the issues, which FIPUG understands will be permitted.

DOCUMENT NUMBER-DATE

10470 OCT 12 8

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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 Response to Request for Brief was served via Electronic Mail and First Class United States Mail this 12th day of October, 2009, to the following:

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