

Ruth Nettles

090011-EI

From: Stright, Lisa [Lisa.Stright@pgnmail.com]
Sent: Wednesday, March 24, 2010 9:54 AM
To: Filings@psc.state.fl.us
Cc: Burnett, John; Simpson, Gail; 'Michael Kamprath'; Martha Brown
Subject: PEF/WREC/Williams Joint Petition - Dkt# 090011-EI
Attachments: (Signed Version) Joint Petition to modify territorial boundary.pdf

This electronic filing is made by:

John T. Burnett
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St. Petersburg, FL 33733
(727) 820-5184
john.burnett@pgnmail.com

Docket No. 090011-EI

On behalf of Progress Energy Florida

Consisting of 7 pages.

**The attached document for filing is
PEF/WREC/Williams Joint Petition to modify
Territorial boundary.**

Lisa Stright

Regulatory Analyst - Legal Dept.
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DOCUMENT NUMBER-DATE

02083 MAR 24 e

FPSC-COMMISSION CLEAR

3/24/2010



March 24, 2010

VIA ELECTRONIC FILING

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

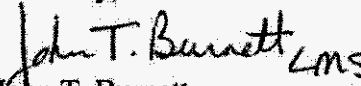
Re: Joint Petition to amend territorial agreement between Withlacoochee River Electric Cooperative, Inc. and Progress Energy Florida, Inc. to modify territorial boundary;
Docket No. 090011-EI

Dear Ms. Cole:

On behalf of Progress Energy Florida, Inc. ("PEF"), Withlacoochee River Electric Cooperative, Inc. ("WREC") and Mark Williams d/b/a SA Williams Inc. ("Mark Williams"), please find enclosed for filing the joint petition to amend territorial agreement between WREC and PEF to modify the boundary area of Mark Williams' account and to resolve all outstanding issues between WREC, PEF and Mr. Williams.

Thank you for your assistance with this matter. Please call me at (727) 820-5184 should you have any questions.

Sincerely,


John T. Burnett

JTB/lms

cc: Gail Simpson (PEF)
Billy Brown, Esq. (WREC)
Michael Kamprath, Esq.

DOCUMENT NUMBER-DATE

2083 MAR 24 0

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition to amend territorial Agreement between Withlacoochee River Electric Cooperative, Inc. and Progress Energy Florida, Inc. to modify territorial Boundary.

Docket No. 090011-EI

Filed: March 24, 2010

JOINT PETITION TO AMENDED TERRITORIAL AGREEMENT

Progress Energy Florida, Inc. ("PEF"), Withlacoochee River Electric Cooperative ("WREC") and Mr. Mark Williams ("Customer") (also referred to as "Party" individually and collectively as the "Parties"), petition the Florida Public Service Commission ("the Commission") to amend the current territorial agreement between PEF and WREC that was approved by the Commission per Order No. PSC-06-0202-PAA-EU on March 14, 2006, for the purposes of resolving all outstanding issues between the Parties and hereby stipulate and agree as follows:

1. PEF and WREC are electric utilities organized under the laws of Florida and are subject to the regulatory jurisdiction of the Commission pursuant to Section 366.04(2), F.S. PEF's principal offices are located in St. Petersburg, Florida. WREC's principal offices are located in Dade City, Florida. Customer is a landowner in Hernando County whose parcels are served by both PEF and WREC.
2. All pleadings, notices and other communications in this matter should be served on the undersigned representatives for the Parties.

DOCUMENT NUMBER-DATE


02083 MAR 24 2010

FPSC-COMMISSION CLERK

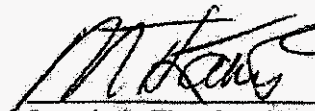
3. WREC and PEF are parties to a currently effective amended and consolidated territorial agreement delineating their respective territories which was approved by the Commission in Order No. PSC-06-0202-PAA-EU, issued March 14, 2006, in Docket No. 040133-EU.
4. The Parties have resolved a dispute concerning the provision of electric service to Customer's aforementioned property. The Parties have agreed to transfer all of Customer's existing service to WREC per the currently approved agreement and to modify the boundary in this area to reflect this transfer.
5. Customer has agreed to cooperate in the transfer of his existing service to WREC, including providing access to the property located at 23451 Mondon Hill Road, Brooksville, Florida 34601, for connection and removal of electric service by WREC and PEF, respectively, subject to the terms and conditions of the Agreement and Easement between Customer and WREC.
6. Other than changing the boundaries in regards to Customer's parcels, there are no other proposed changes to the current territorial agreement approved by the Commission. The proposed boundary modifications are attached in Exhibit A. This proposed transfer will resolve all outstanding issues raised by Customer in his FPSC Complaint, Docket No. 090011-EI.
7. The costs of the new service lines by WREC for the existing uses and the existing capacities and the costs of the removal of PEF's equipment and service lines and any remediation appropriate shall be coordinated and performed by the utilities without cost to the Customer. The new connections or expansion of the service for future needs shall be pursuant to the applicable WREC policies/rates.
8. This stipulation does not affect PEF's transmission lines and access easements upon the Customer's lands.

WHEREFORE, the Parties respectfully request that the Commission grant this Petition and approve this minor amendment to the current agreement between the Parties to allow the boundary modifications as set forth in the attached Exhibit A.

Respectfully Submitted,


John T. Burnett
Associate General Counsel
Progress Energy Service Company, LLC
P.O. Box 14042
St. Petersburg, FL 33733-4042
Telephone: (727) 820-5184
Facsimile: (727) 820-5519

Attorney for
Progress Energy Florida, Inc.

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Attorney for
Mr. Mark Williams


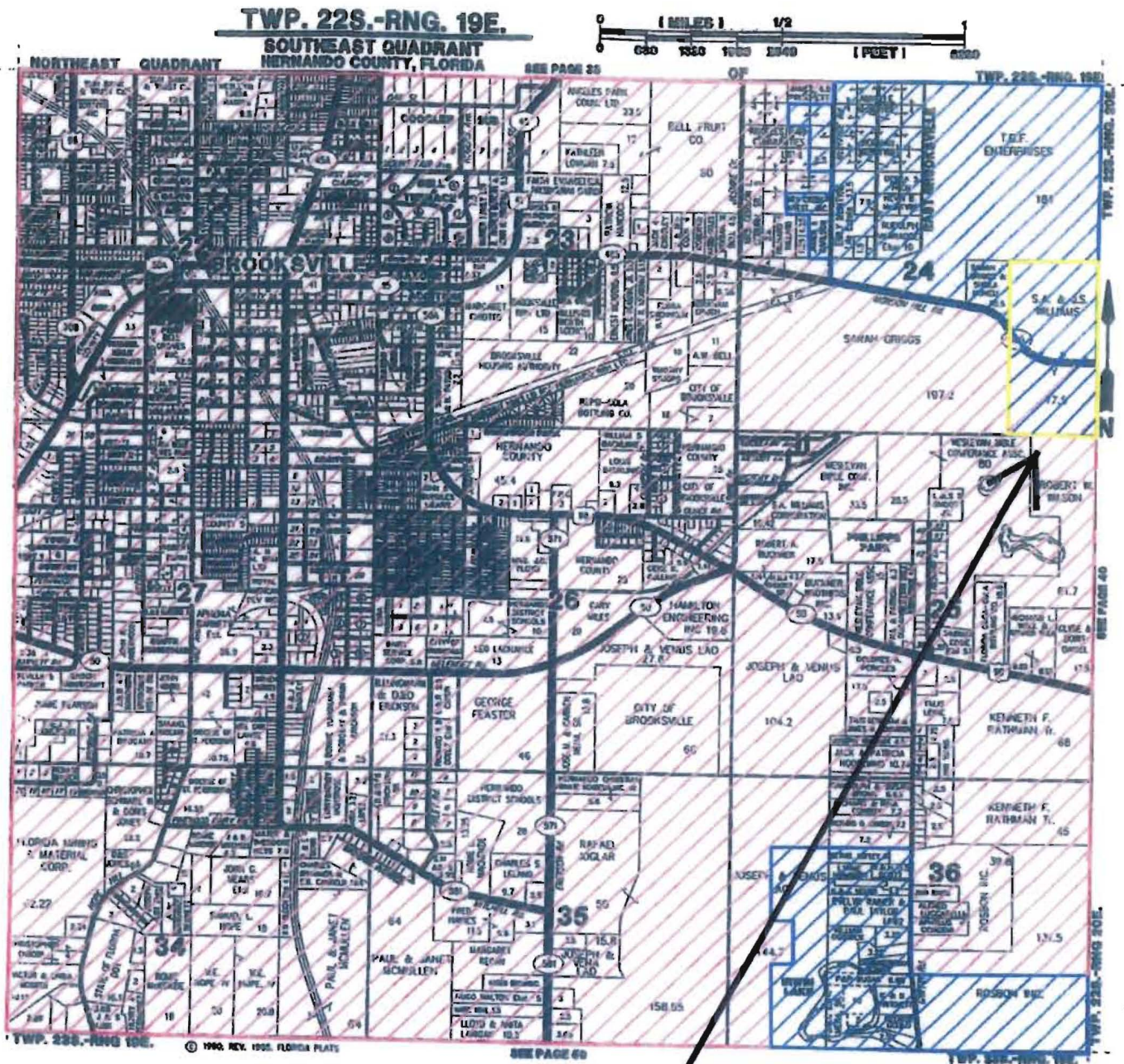

Billy Brown, Executive Vice President & Gen. Mgr.
Withlacoochee River Electric Cooperative, Inc.
P.O. Box 278
Dade City, FL 33526-0278
Telephone: (352) 567-5133
Facsimile: (352) 521-5971

Exhibit A

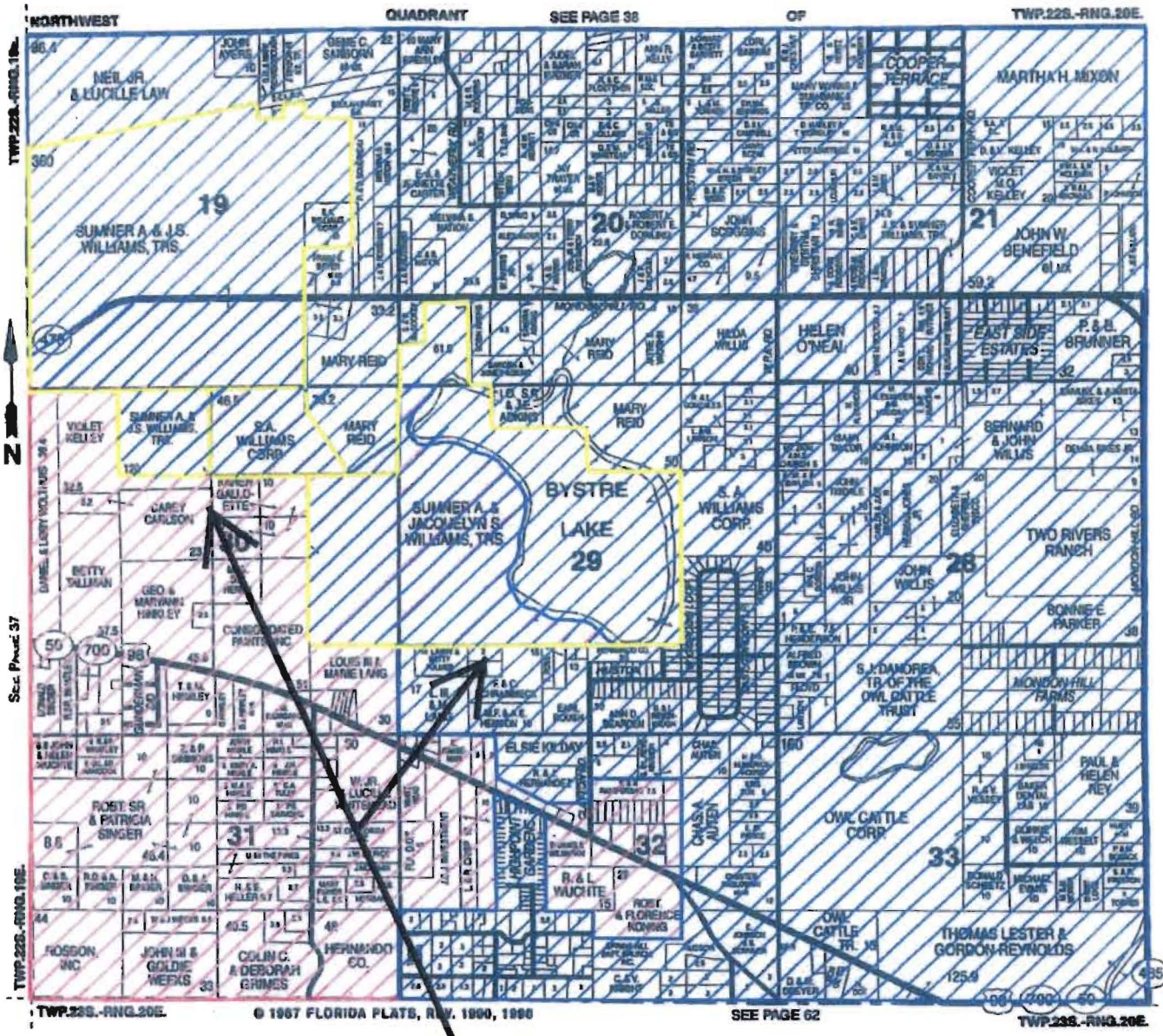
(Proposed boundary modifications)



Proposed Boundary Modification under
Docket No. 090011-E1

-  WITHLACOOCHEE RIVER ELECTRIC
-  PROGRESS ENERGY

TWP.22S.-RNG.20E.
SOUTHWEST QUADRANT
HERNANDO COUNTY, FLORIDA



Proposed Boundary Modification under
Docket No. 090011-E1

-  WITHLACOOCHEE RIVER ELECTRIC
-  PROGRESS ENERGY