

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Fuel and Purchased Power )  
Cost Recovery Clause with ) DOCKET NO. 050001-EI  
Generating Performance Incentive ) FILED: November 4, 2005  
Factor )  
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**OPC’S MOTION FOR ORAL ARGUMENT**

The Citizens of the State of Florida, through the Office of Public Counsel, respectfully request the opportunity to present oral argument at the outset of the November 7 hearing in this docket in support of OPC’s Motion to Defer Issue of Prudence and Reasonableness of PEF’s Coal Costs, (“Motion”) which is being filed this date.

In support, OPC submits that the motion raises significant issues that encompass considerations of a utility’s burden of proof, the complexity of the fuel procurement transactions that are the subject of the motion, and the necessity of adequate time within which to safeguard ratepayers’ interests through a careful scrutiny of procurement decisions.

Respectfully submitted,

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**CERTIFICATE OF SERVICE  
DOCKET NO. 050001-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing OPC's Motion for Oral Argument has been furnished by electronic mail and U.S. Mail to the following parties on this 4th day of November, 2005:

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