



July 6, 2010

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COMMISSION  
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**VIA HAND DELIVERY**

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

*Re: Joint Petition for approval of amended territorial agreement in Citrus County by Progress Energy Florida, Inc. and Withlacoochee River Electric Cooperative, Inc.; Docket No. 100282-EU*

Dear Ms. Cole:

On behalf of Progress Energy Florida, Inc. ("PEF") and Withlacoochee River Electric Cooperative, Inc. ("WREC"), please find enclosed the joint response to Staff's Data Request dated June 22, 2010 in the above referenced docket.

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

Sincerely,

*John T. Burnett lms*  
John T. Burnett

JTB/lms  
Attachment

cc: Gail Simpson (PEF)  
Billy Brown (WREC)

- COM \_\_\_\_\_
- APA \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL** 4
- RAD \_\_\_\_\_
- SSC \_\_\_\_\_
- ADM \_\_\_\_\_
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FPSC-COMMISSION CLERK

**PEF/WREC JOINT RESPONSE TO STAFF'S DATA REQUEST NO. 1  
DOCKET NO. 100282-EU**

- Q1. The joint petition refers to a Citrus County requirement that PEF vacate the right-of-way that currently crosses a runway within the Crystal River Airport. Please provide documentation from Citrus County which supports this requirement.**

Answer: PEF and WREC have received a copy of the Notice of As-Built Deviation that was issued by the Southwest Florida Water Management District to the Citrus County Department of Public Works on April 28, 2010. A copy of this Notice is attached as Exhibit A.

- Q2. The joint petition references a plan to transfer PEF's distribution facilities used exclusively for providing service to affected customers. Please provide more detailed information about the specifics of the transfer, including information about the terms to which both PEF and WREC will adhere and the value of any and all facilities and assets involved.**

Answer: The work required to transfer the customers from PEF to WREC involves disconnecting the PEF lines from a terminal pole on the south of the Crystal River Airport, and abandoning PEF's underground distribution facilities running from south to north under the Crystal River Airport property. On the north side of the Crystal River Airport, PEF will disconnect the underground from the terminal pole as well. This terminal pole location will now become WREC's dead-end pole. WREC will make a connection on the north side of the subdivision, which was PEF's former dead-end pole location.

PEF has not assessed the value of the facilities and assets at this time. As is customary in the transfer of customers, a complete inventory and valuation of the assets will be prepared upon approval of the transfer of the customers from PEF to WREC by the Public Service Commission and closer to the actual transfer date. We do not expect there to be a significant cost associated with the transfer of 27 customers and 16 street lights.

WREC and PEF will abide by the terms of the existing territorial agreement, approved by the Commission in Docket No. 040133-EU in Order No. PSC-06-0281-CO-EU as to the transfer of related service facilities and the valuation of those facilities for transferred customers (Section 3.3. and Section 3.4 of the approved territorial agreement).

- Q3. The sample of the letter sent to customers as notification of the territorial agreement mentions how customer deposits will be handled by both PEF and WREC. Please provide more detailed information regarding the deposit that may be required by WREC for each of the 31 customers and how that deposit compares to any deposit that the customer may have had with PEF.**

Answer: In order to minimize any hardship on the customers, WREC does not plan to charge a deposit initially. WREC will monitor the customer accounts and examine the payment record for a reasonable period of time to determine if a deposit is necessary at a future date. For the customers transferring to WREC, PEF will refund the customer's deposit or the amount of the deposit remaining when the final bill is rendered.

**Q4. The parties request that the Commission expeditiously grant this petition to facilitate the County's request to vacate. Please advise if there is a certain date set that is associated with Citrus County's request.**

Answer: According to the Notice of As-Built Deviation that was issued to the Citrus County Department of Public Works by the Southwest Florida Water Management District on April 28, 2010, Citrus County was required to submit information to the Southwest Florida Water Management District no later than May 28, 2010. PEF and WREC do not have further information from Citrus County at this time.

**Q5. Please advise of the anticipated date that the customer transfer will occur.**

Answer: Pending approval of the joint petition, PEF and WREC are prepared to transfer the customers within a very short timeframe. At this time, no transfer date has been set.



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## Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899

(352) 796-7211 or 1-800-423-1476 (FL only)

TDD only: 1-800-231-6103 (FL only)

On the internet at [WaterMatters.org](http://WaterMatters.org)

**Bartow Service Office**  
170 Century Boulevard  
Bartow, Florida 33830-7700  
(863) 534-1448 or  
1-800-492-7862 (FL only)

**Sarasota Service Office**  
6750 Fruitville Road  
Sarasota, Florida 34240-9711  
(941) 377-3722 or  
1-800-320-3503 (FL only)

**Tampa Service Office**  
7601 Highway 301 North  
Tampa, Florida 33637-6759  
(813) 985-7481 or  
1-800-836-0797 (FL only)

April 28, 2010

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**William S. Bilenky**  
General Counsel

Quincy Wylupek  
Citrus County Department of Public Works  
3600 West Sovereign Path, Suite 241  
Lecanto, FL 34461

**Subject: Notice of As-Built Deviation**  
Project Name: Crystal River Airport - Taxiway Relocation and Widening  
Permit No.: 43004276.016  
Compliance No.: 326854  
County: Citrus

Dear Mr. Wylupek:

The District received your Statement of Completion and Request for Transfer to Operation Entity form with as-built drawings for the above referenced project on March 29, 2010.

A site inspection was conducted on April 6, 2010, and the following deviations from the permitted design were identified:

### Technical Deviations

1. There are significant washouts in the sidebank areas near STA 31+00 LT and 41+00 LT. Please remove the sediments from the wetland and repair and stabilize the sidebanks.
2. The berm at ST 50+50 RT located in the retention pond must be removed and graded to the condition in the approved plans.

In order to bring this matter into compliance you must correct the above deviations and submit the required information no later than **May 28, 2010**. Your response should be directed to me at the Brooksville Regulation Department. If we do not receive a response to this request, the matter may be referred to the District's Legal Department for further enforcement action.

If you have any questions, please do not hesitate to contact me at (352) 796-7211.

Sincerely,

C. Clay Black, P.E.  
Brooksville Regulation Department

CCB:jen

cc: File of Record 43004276.016/CT 326854  
Edgar Figueroa, P.E., URS Corporation Southern  
Thomas Hackney, Brooksville Regulation