

ORIGINAL

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**Subject:** Motion for Extension of Time for Discovery Cut-Off Date  
**Attachments:** motionforextensionoftime(discovery)(efile).pdf

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1. This filing is to be made in Docket Number: 050078-EI, Petition for a Rate Increase By Progress Energy Florida, Inc.
2. Attached for filing on behalf of Office of Public Counsel is a Motion for Extension of Time for Discovery Cut-Off Date.
3. There are a total of four (4) pages for filing

Dana S. Burns

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TALLAHASSEE, FLORIDA

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition for a Rate Increase by )  
Progress Energy Florida, Inc. )  
\_\_\_\_\_ )

Docket No. 050078-EI  
Filed: July 20, 2005

**MOTION FOR EXTENSION OF TIME FOR DISCOVERY CUT-OFF DATE**

The Citizens of the State of Florida, through their attorney, the Public Counsel, hereby seek an extension of time for the discovery cut-off date from August 11, 2005 to August 26, 2005, and as grounds states as follows:

1. By Order No. PSC-05-0487-PCO-EI, issued May 4, 2005, the hearing, prehearing, and key activities dates were established. Currently, the hearing is scheduled to begin on September 7, 2005, and the discovery cut-off date is August 11, 2005. Rebuttal testimony and exhibits are due to be filed on August 5, 2005.

2. Under the current schedule, the parties cannot conduct depositions of the witnesses on their testimony including any rebuttal testimony filed and have sufficient time to conduct follow-up discovery, if needed. Thus, Citizens request an approximate two week extension of the discovery cut-off date, so that we can conduct depositions of the witnesses after rebuttal testimony is filed and there will be time for follow-up discovery to be accomplished before the discovery cut-off date. Thus, Citizens request that the discovery date be changed from August 11, 2005 to August 26, 2005.

3. Citizens have contacted all the parties. Counsel for Progress Energy Florida, Inc., the Commission, Florida Retail Federation and AARP have no objection to the extension of time. No other party has contacted Citizens to object to the request for extension of time by the time of this filing.

WHEREFORE, Citizens request that their Motion be granted and the discovery cut-off date be extended from August 11, 2005 to August 26, 2005.

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Attorneys for the Citizens  
of the State of Florida

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished electronically and via U.S. Mail this 20<sup>th</sup> day of July, 2005 to all counsel of record as indicated below.

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