

# MACFARLANE FERGUSON & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

1501 SOUTH FLORIDA AVENUE  
LAKELAND, FLORIDA 33803  
(863) 680-9908 FAX (863) 683-2849

ONE TAMPA CITY CENTER, SUITE 2000  
201 NORTH FRANKLIN STREET  
P.O. BOX 1531 (ZIP 33601)  
TAMPA, FLORIDA 33602  
(813) 273-4200 FAX (813) 273-4396

625 COURT STREET  
P. O. BOX 1669 (ZIP 33757)  
CLEARWATER, FLORIDA 33756  
(727) 441-8966 FAX (727) 442-8470

www.mfmlegal.com  
EMAIL: info@mfmlegal.com

IN REPLY REFER TO:

December 3, 2004

Ansley Watson, Jr.  
P.O. Box 1531  
Tampa, Florida 33601  
e-mail: [aw@macfar.com](mailto:aw@macfar.com)

## VIA E-FILING

Blanca S. Bayo, Director  
Division of Commission Clerk & Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

**Re: Docket No. 040278-GU – Petition of Florida Public Utilities Company to  
resolve territorial dispute with Peoples Gas System**

Dear Ms. Bayo:

Enclosed for filing in the above docket on behalf of Peoples Gas System, please find Peoples Gas System's Motion to be Relieved from Requirements Established by Order Establishing Procedure.

Thank you for your usual assistance.

Sincerely,



ANSLEY WATSON, JR.

AWjr/a  
Enclosure

cc: Vicki Gordon Kaufman, Esquire  
Adrienne Vining, Esquire  
Mrs. Kandi M. Floyd  
Ms. Angela Llewellyn

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition of Florida Public Utilities )  
Company to resolve territorial dispute )  
with Peoples Gas System )  
\_\_\_\_\_ )

Docket No. 040278-GU

Submitted for Filing:  
12-3-04

**PEOPLES GAS SYSTEM'S MOTION  
TO BE RELIEVED FROM REQUIREMENTS  
ESTABLISHED BY ORDER ESTABLISHING PROCEDURE**

Peoples Gas System ("Peoples"), by its undersigned attorneys, moves the Commission for an order relieving it from compliance with the requirements of the Order Establishing Procedure and Addressing Motion to Revise Procedural Schedule (Order No. PSC-04-0716-PCO-GU) in this docket and, as grounds therefor, says:

1. The Petition of Florida Public Utilities Company ("FPUC") to Resolve Territorial Dispute filed herein on March 30, 2004 (the "Petition") alleged that a territorial dispute existed between Peoples and FPUC with respect to the geographic area described in the Petition as the "disputed area."

2. Peoples does not dispute the right of FPUC to extend its facilities into the disputed area described in the Petition for the purpose of providing natural gas service within the disputed area, and therefore does not intend to file testimony and exhibits disputing the aforesaid right of FPUC, or to further participate as a party in this docket.

WHEREFORE, Peoples respectfully request that it be relieved from compliance with the procedural and other requirements established by Order No. PSC-04-0716-PCO-GU.

Respectfully submitted,



\_\_\_\_\_  
Ansley Watson, Jr.  
Macfarlane Ferguson & McMullen  
P. O. Box 1531, Tampa, Florida 33601  
(813) 273-4321  
[aw@macfar.com](mailto:aw@macfar.com)

Attorneys for Peoples Gas System

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Motion has been furnished this 3rd day of December, 2004, by regular and electronic mail, to Joseph A. McGlothlin, Esquire, McWhirter Reeves Law Firm, 117 S. Gadsden Street, Tallahassee, Florida 32301, and Adrienne Vining, Esquire, Office of the General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.



\_\_\_\_\_  
Ansley Watson, Jr.