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COMMISSION  
CLERK

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Mr. Frederick Smallakoff  
6681 Coronet Dr  
New Port Richey, FL  
34655

Oct. 28/13.

Ann Cole, clerk  
Fl. Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida  
32399.

Motion for Reconsideration  
for a Formal Hearing of my case  
# 1059336 E re. Progress Energy  
(Duke)

Since the facts, evidence and tactics  
are nearly identical between FPL case #  
696 236 E and Progress Energy case #  
105 9936 E (now Duke):

I wish to apply all of the relevant  
statements, observations, assessments,  
protests and evidence contained in this letter  
dated Oct. 28/13 (to comply with their response)  
FPL case # 696 236 E, including my request  
for Reconsideration of a Formal Hearing  
as indicated by the heading of this letter, to  
be applied to my case # 105 9936 E, Progress  
Energy, (Duke) without having to restate  
and rewrite the same facts and issues  
since both utilities employed identical  
tactics for the same purpose and for the  
same reasons.

I have dealt with Rule 28-106-201 FAL that has been constantly referred to and as being obstructive to prevent a Formal Hearing.

I have not only essentially and materially complied with this Rule in my two previous requests in a timely manner, but yet again by this Oct 28/13 letter citing FPL case # 696 236R request, as the same applies to progress to every (Duke) and is addressed and spelled out in this letter of Oct. 28/13, as it applies to both.

Copy to:  
Office of Public  
Counsel  
J R Kelly

*[Signature]*