

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost Recovery Clause and Generating Performance Incentive Factor.	)	DOCKET NO. 890001-EI
	)	
	)	
	)	
In re: Petition of Florida Industrial Power Users Group to Discontinue Florida Power & Light Company's Oil Backout Cost Recovery Factor	)	Docket No. <del>890148-EI</del>
	)	ORDER NO. 21217
	)	ISSUED: 5-10-89

The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, Chairman  
THOMAS M. BEARD  
JOHN T. HERNDON

ORDER GRANTING MOTION TO CONSOLIDATE

BY THE COMMISSION:

Prior to the February 22, 1989 hearing in Docket No. 890001-EI, the Florida Industrial Power Users Group (FIPUG), an intervenor, raised issues regarding Florida Power & Light Company's (FPL's) recovery of certain transmission line investments through operation of the Oil Backout Cost Recovery Factor (OBCRF). FIPUG also filed a petition in Docket No. 890148-EI to discontinue FPL's OBCRF. In each of the above dockets, FIPUG filed a Motion to Consolidate Dockets or Hold Certain Issues in Docket No. 890001-EI in Abeyance. FIPUG and FPL later stipulated that FIPUG would defer presentation of its position on certain OBCRF issues from the February 22 hearing, and that if an adjustment was made to the factor as a result of future proceedings, any amounts ordered to be refunded would be subject to refund as though the Commission had reached a substantive decision on the issues in the February, 1989 hearing in Docket No. 890001-EI.

Rule 1.270(a), Florida Rules of Civil Procedure, allows joint hearings of actions involving a common question of law or fact, upon which individual judgments are rendered. In order to hold a consolidated trial resulting in separate judgments, issues need not be identical. Therefore, for purposes of efficiency and expediency, we will grant FIPUG's motion, and will consolidate these two dockets for hearing purposes only, with separate orders to be issued in each docket. The issues raised by FIPUG in Docket No. 890148-EI shall be heard by the full Commission on the last day of the next fuel adjustment hearing in Dockets No. 890001-EI, 890002-EG, and 890003-GU, which is currently scheduled for August 22-24, 1989.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Dockets No. 890001-EI and 890148-EI shall be consolidated for hearing purposes only, with separate orders to be issued for each docket. It is further

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ORDERED that the issues raised by FIPUG in Docket No. 890148-EI shall be decided by the full Commission, and shall be addressed on the last day of the next fuel adjustment hearing, currently scheduled for August 22-24, 1989.

By ORDER of the Florida Public Service Commission,  
this 10th day of MAY, 1989.

STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

MER

by: Kay Johnson  
Chief, Bureau of Records

MEMORANDUM

May 10, 1989

TO: DIVISION OF RECORDS AND REPORTING  
FROM: DIVISION OF LEGAL SERVICES (RULE) *WR*  
RE: DOCKET NO. 890001-EI - FUEL AND PURCHASED POWER COST  
RECOVERY CLAUSE AND GENERATING PERFORMANCE INCENTIVE  
FACTOR.

DOCKET NO. ~~890148-E1~~ - PETITION OF FLORIDA INDUSTRIAL  
POWER USERS GROUP TO DISCONTINUE FLORIDA POWER & LIGHT  
COMPANY'S OIL BACKOUT COST RECOVERY FACTOR.

*21217*

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Attached is an Order Granting Motion to Consolidate to be  
issued in the above-referenced docket.

MER/sj

Attachment

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