

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Adoption of Numeric) DOCKET NO. 930548-EG
Conservation Goals and) ORDER NO. PSC-94-0535-PCO-EG
Consideration of National Energy) ISSUED: May 9, 1994
Policy Act Standards (Section)
111) by Florida Power and Light)
Company.)
_____)

ORDER GRANTING REQUEST TO FILE SUPPLEMENTAL TESTIMONY

On April 26, 1994, the Legal Environmental Assistance Foundation, Inc. (LEAF), filed a Motion For Leave To Late-File Testimony Or File Supplemental Testimony. As grounds for its motion LEAF states that its has been unable to depose a key FPL witness.

LEAF has asserted good cause in support of its request to file supplemental testimony. I have been informed that FPL's witness will be made available for deposition on May 5 or 6, 1994. The appropriate relief under these circumstances is leave to file supplemental testimony, not leave to late file testimony.

It is therefore

ORDERED that the motion of the Legal Environmental Assistance Foundation, Inc., for leave to file supplemental testimony, filed on April 26, 1994, is hereby granted. It is further

ORDERED that the request of the Legal Environmental Assistance Foundation, Inc. to late file testimony is hereby denied. It is further

ORDERED that the Legal Environmental Assistance Foundation, Inc. shall file its supplemental testimony with the Director of the Division of Records and Reporting by the close of business on Friday, May 13, 1994.

By ORDER of Chairman J. Terry Deason, as Prehearing Officer, this 9th day of May, 1994.



J. PERRY DEASON, Chairman and
Prehearing Officer

(S E A L)
MAP:bmi

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.