

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Complaint of Florida ) DOCKET NO. 940357-EQ  
Power Corporation against ) ORDER NO. PSC-94-0879-PCO-EQ  
Orlando Cogen Limited, L.P. for ) ISSUED: July 20, 1994  
resolution of a cogeneration )  
contract dispute. )  
\_\_\_\_\_)

ORDER GRANTING JOINT MOTION TO RESCHEDULE CASE  
ACTIVITIES IN ORDER TO FACILITATE SETTLEMENT DISCUSSIONS

On July 11, 1994, Florida Power Corporation (FPC) and Orlando Cogen Limited, L.P. (OCL) filed a Joint Motion to Reschedule Case Activities In Order To Facilitate Settlement Discussions requesting that the Commission reschedule oral argument on OCL's Motion to Dismiss to a date no earlier than July 29, 1994 and that the deadlines for filing testimony be revised to follow the new date for oral argument. In support of the joint motion, FPC and OCL allege that there is a realistic possibility that they can finalize a mutually acceptable settlement. FPC and OCL indicate that the requested postponement would facilitate the possibility of a settlement, however, in the event the case proceeds to hearing, they have not requested postponement of the prehearing conference and the hearing which are scheduled for October 17, 1994 and November 3, 1994, respectively.

Having reviewed the joint motion, it is found that the request to reschedule the oral argument and the filing of testimony is reasonable. Therefore, the date for oral argument shall be August 15, 1994 at 2:00 p.m. The dates established in Order PSC-94-0831-PCO-EQ for the filing of testimony shall be amended as follows:

<u>Testimony:</u>	<u>Previous Date</u>	<u>New Date</u>
FPC's Direct	July 15, 1994	August 22, 1994
Respondent's	August 2, 1994	September 12, 1994
Rebuttal	August 22, 1994	October 3, 1994

In consideration of the foregoing, it is

ORDERED that the date for oral argument on Orlando Cogen Limited, L.P.'s Motion to Dismiss is continued to the date discussed in the body of this Order. It is further

DOCUMENT NUMBER-DATE  
07284 JUL 20 1994  
FPC-RECORDS/REPORTING

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ORDERED that the dates for filing Florida Power Corporation's direct testimony, Respondent's testimony and all rebuttal testimony are rescheduled to dates discussed in the body of this Order.

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 20th day of July, 1994.



SUSAN F. CLARK, Commissioner and  
Prehearing Officer

( S E A L )  
VDJ:bmi

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.