

M E M O R A N D U M

MARCH 6, 1995

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11:40
FPC-RECORDS/REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (BROWN) *MCB*

RE: DOCKET NO. 941101-EQ - PETITION OF FLORIDA POWER CORPORATION FOR DETERMINATION THAT ITS PLAN FOR CURTAILING PURCHASES FROM QUALIFYING FACILITIES IN MINIMUM LOAD CONDITIONS IS CONSISTENT WITH RULE 25-17.086, FLORIDA ADMINISTRATIVE CODE

0310-PCG

Attached is an ORDER GRANTING EXTENSION OF TIME TO FILE TESTIMONY to be issued in the above-referenced docket. (Number of pages in Order - 2)

**PLEASE ISSUE THIS ORDER TODAY,
MARCH 6, 1995. THANK YOU.**

MCB/js
Attachment
cc: Division of Electric and Gas
i: 941101EX.MCB

MUST GO TODAY

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition of Florida) DOCKET NO. 941101-EQ
Power Corporation for) ORDER NO. PSC-95-0310-PCO-EQ
determination that its plan for) ISSUED: March 6, 1995
curtailing purchases from)
Qualifying facilities in minimum)
load conditions is consistent)
with Rule 25-17.086, Florida)
Administrative Code)
_____)

ORDER GRANTING EXTENSION OF TIME TO FILE TESTIMONY

On March 1, 1995, Orlando Cogen Limited (Orlando Cogen) filed a Motion to Extend Time for Filing of Prefiled Testimony. In its motion Orlando requests an additional two weeks, from March 20, 1995 to April 3, 1995, to file its intervenor testimony in this case. Orlando Cogen states that discovery is progressing in the case, but the process has been slow, and Orlando Cogen needs the additional time to evaluate the direct testimony that Florida Power Corporation filed on February 20, 1995. Orlando Cogen represents that Florida Power Corporation agrees to the extension, if it is granted the same time to file its rebuttal testimony.

The motion is granted. This extension of time can be accommodated within the present prehearing and hearing schedule. All intervenors in the case may file prefiled testimony no later than April 3, 1995. Florida Power Corporation may file rebuttal testimony no later than April 20, 1995. All discovery in this case shall be concluded by May 1, 1995.

By ORDER of Chairman Susan F. Clark, as Prehearing Officer, this 6th day of March, 1995.



SUSAN F. CLARK, Chairman and
Prehearing Officer

(S E A L)

MCB

DOCUMENT NUMBER-DATE

02466 MAR-68

FPSC-RECORDS/REPORTING

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(3), 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.