

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Prudence review to) DOCKET NO. 960409-EI
determine regulatory treatment) ORDER NO. PSC-96-0749-PCO-EI
of Tampa Electric Company's Polk) ISSUED: June 6, 1996
Unit.)
_____)

ORDER GRANTING MOTION FOR EXTENSION OF FILING DATES

A hearing has been scheduled for Wednesday and Thursday, July 17 and 18, 1996, in this docket to determine the prudence of and appropriate regulatory treatment for Tampa Electric Company's Polk Unit.

On May 24, 1996, the Staff of the Florida Public Service Commission filed a Motion for Extension of Filing Dates for staff testimony and rebuttal testimony. Currently, staff testimony is due June 7, 1996, and rebuttal testimony is due June 24, 1996, as set forth in the Order Establishing Procedure, Order No. PSC-96-0567-PCO-EI. Staff requests an extension of the date due for staff testimony to June 14, 1996, and for rebuttal testimony to July 1, 1996. Staff asserts that the extension of these dates is necessary to allow staff to fully analyze the complex issues in this docket and assure the availability of a complete record. Staff also asserts that this extension will not effect the hearing dates in this docket.

On May 31, 1996, Tampa Electric Company (TECO) filed a Memorandum in Opposition to Staff's Motion for Extension of Filing Dates. TECO argues that the extension of these dates will ". . . encroach upon Tampa Electric's ability to meaningfully engage in discovery." Memorandum at 2. TECO then adds that the discovery deadline is July 2, 1996, and states that TECO's ability to conduct discovery should not be further reduced.

I find that staff's request for an extension of the filing dates for staff testimony and rebuttal testimony is reasonable. Since the filing date for rebuttal testimony will also be extended, TECO will still have the same amount of time in which to respond to any testimony staff might file. In addition, I note that the correct deadline for discovery, as set forth in Order No. PSC-96-0567-PCO-EI, is July 10, 1996. Staff's Motion for Extension of the Filing Dates for staff testimony and rebuttal testimony is, therefore, granted. All other dates set forth in the Order Establishing Procedure will remain the same.

DOCUMENT NUMBER-DATE

06179 JUN-68

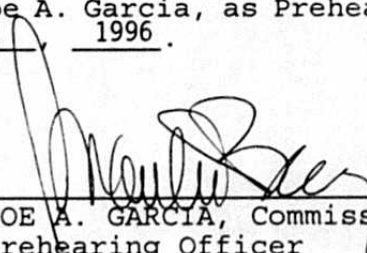
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ORDER NO. PSC-96-0749-PC0-EI
DOCKET NO. 960409-EI
PAGE 2

It is, therefore,

ORDERED by Commissioner Joe A. Garcia, as Prehearing Officer, that Staff's Motion for Extension of Filing Dates for staff testimony and rebuttal testimony is granted to the extent set forth in the body of this Order.

By ORDER of Commissioner Joe A. Garcia, as Prehearing Officer, this 6th day of June, 1996.



JOE A. GARCIA, Commissioner and
Prehearing Officer

(S E A L)

BC

ORDER NO. PSC-96-0749-PCO-EI
DOCKET NO. 960409-EI
PAGE 3

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.