

MEMORANDUM

AUGUST 25, 1997

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FPSC - Records/Reporting

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (KEATING) WCK

**RE: DOCKET NO. 961184-EQ - PETITION FOR APPROVAL OF EARLY
TERMINATION AMENDMENT TO NEGOTIATED QUALIFYING FACILITY
CONTRACT WITH ORLANDO COGEN LIMITED, LTD. BY FLORIDA
POWER CORPORATION**

PSC-97-1009-PCO-EQ

Attached is an **ORDER MODIFYING PROCEDURAL SCHEDULE** to be issued in the above referenced docket. (Number of pages in order - 3)

WCK/js

Attachment

cc: Division of Electric and Gas (Harlow)

Division of Auditing and Financial Analysis (Stallcup)

I:961184MP.WCK

MUST GO TODAY

Correct -
Mental - 3/2

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of early termination amendment to negotiated qualifying facility contract with Orlando Cogen Limited, Ltd., by Florida Power Corporation.

**DOCKET NO. 961184-EQ
ORDER NO. PSC-97-1009-PCO-EQ
ISSUED: August 25, 1997**

ORDER MODIFYING PROCEDURAL SCHEDULE

On April 17, 1997, Order No. PSC-97-0434-PCO-EQ was issued, establishing, *inter alia*, dates to govern the key activities in this docket. Due to Commission scheduling conflicts, the prehearing conference and hearing dates established by that Order were changed. Therefore, the procedural schedule outlined in Order No. PSC-97-0434-PCO-EQ is modified as follows:

Petitioner's direct testimony and exhibits	August 27, 1997
Intervenor's direct testimony and exhibits	September 10, 1997
Staff's direct testimony and exhibits	September 24, 1997
Prehearing Statements	October 1, 1997
Rebuttal testimony and exhibits	October 8, 1997
Prehearing Conference	October 9, 1997
Hearing	October 30 - 31, 1997
Briefs	December 1, 1997

In addition, the discovery provisions of Order No. PSC-97-0434-PCO-EQ are hereby modified to require that all discovery shall be completed by October 23, 1997.

DOCUMENT NUMBER-DATE

08551 AUG 25 97

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Based upon the foregoing, it is

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that Order No. PSC-97-0434-PCO-EQ is hereby modified as stated in the body of this Order. It is further

ORDERED that Order No. PSC-97-0434-PCO-EQ is reaffirmed in all other respects.

By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 23rd day of August, 1997.


DIANE K. KIESLING
Commissioner and Prehearing Officer

(S E A L)

WCK

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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 25-22.0376, Florida

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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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.