

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery clause with generating performance incentive factor.

DOCKET NO. 040001-EI
DOCKET NO. 050001-EI
ORDER NO. PSC-05-0001-PCO-EI
ISSUED: January 3, 2005

ORDER ESTABLISHING 2005 DOCKET NUMBER

BY THE COMMISSION:

In order to avoid confusion and reduce administrative handling problems in this active and continuing docket, we are establishing a new docket for the calendar year 2005. Beginning January 3, 2005, Docket No. 040001-EI, In re: Fuel and Purchased Power Cost Recovery Clause and Generating Performance Incentive Factor, will be identified as Docket No. 050001-EI.

The establishment of a new docket number is for administrative convenience only and this Commission retains its continuing jurisdiction over matters considered in previous fuel and purchased power cost recovery clause and generating performance incentive factor dockets.

The new docket number will be used by all parties on the effective date of January 3, 2005, and thereafter. Intervenors will not remain parties to this docket unless they notify the Division of the Commission Clerk and Administrative Services in writing of their intent to remain parties. Intervenors and interested persons must reestablish their status in order to remain on the docket mailing list.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that beginning January 3, 2005, all matters previously the subject of Docket No. 040001-EI, shall be part of Docket No. 050001-EI. It is further

ORDERED that this Commission shall retain jurisdiction over matters considered in previous fuel and purchased power cost recovery clause and generating performance incentive factor dockets.

DOCUMENT NUMBER-DATE

00001 JAN-3 05

FPSC-COMMISSION CLERK

ORDER NO. PSC-05-0001-PCO-EI
DOCKET NO. 040001-EI
DOCKET NO. 050001-EI
PAGE 2

By ORDER of the Florida Public Service Commission this 3rd day of January, 2005.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
And Administrative Services

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(SEAL)

AEV

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.

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.

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 Administrative Code; or (2) judicial review by the Florida Supreme Court, in

ORDER NO. PSC-05-0001-PCO-EI
DOCKET NO. 040001-EI
DOCKET NO. 050001-EI
PAGE 3

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 the Commission Clerk and Administrative Services, 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.