

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for determination of need for  
Glades Power Park Units 1 and 2 electrical  
power plants in Glades County, by Florida  
Power & Light Company.

DOCKET NO. 070098-EI  
ORDER NO. PSC-07-0213-PCO-EI  
ISSUED: March 7, 2007

FIRST ORDER REVISING ORDER ESTABLISHING PROCEDURE

On February 1, 2007, Florida Power & Light Company (FPL) filed a petition for a determination of need for a proposed electrical power plant in Glades County pursuant to Section 403.519, Florida Statutes, and Rule 25-22.080, Florida Administrative Code. On February 9, 2007, Order No. PSC-07-0120-PCO-EI (Order Establishing Procedure), was issued in the instant docket, setting this matter for formal administrative hearing on April 16-17, 2007, and also setting forth the controlling dates for this docket. By petition dated March 5, 2007, the Sierra Club, Inc., Save Our Creeks, Florida Wildlife Federation, Environmental Confederation of Southwest Florida, and Ellen Peterson, (collectively, Intervenors) requested permission to intervene in this docket. Also on March 5, 2007, the Intervenors filed a Motion for Extension of Time to File Testimony. For the reasons discussed below, several of the controlling dates set forth in the Order Establishing Procedure shall be modified by this Order.

Intervenors' Motion for Extension of Time to File Testimony

In their Motion, the Intervenors note that Order No. PSC-07-0120-PCO-EI currently requires intervenors to file testimony and exhibits by March 7, 2007. However, due to the short time period allowed in the Order Establishing Procedure, the highly technical nature of the subject matter, the busy schedules of their experts, and the voluminous nature of FPL's petition, testimony, and exhibits, the testimony due date of March 7, 2007, does not allow a reasonable amount of time for the Intervenors' experts to timely file the testimony warranted in this docket. The Intervenors intend to file the testimony of three witnesses: Anna Sommer, Richard Furman, and John Plunkett. The Intervenors state that the testimony of Ms. Sommer and Mr. Furman will be filed on the date currently set by the Order Establishing Procedure, but request that they be allowed an extension until March 12, 2007, to file the testimony of Mr. Plunkett. Further, the Intervenors have no objection to granting FPL an extension to March 23, 2007, to file rebuttal testimony in response to Mr. Plunkett's testimony.

Rebuttal Testimony

The Order Establishing Procedure set forth March 21, 2007, as the date for filing rebuttal testimony and exhibits. However, due to a scrivener's error, the Order incorrectly designated that all parties may file rebuttal testimony and exhibits, rather than designating that only the Applicant has the ability to do so, which was the intent.

DOCUMENT NUMBER-DATE

02102 MAR-7 07

FPSC-COMMISSION CLERK

In the event that this error has led to any confusion on the part of the parties, the date for filing all Intervenor testimony shall be extended to Friday, March 16, 2007, and the date for FPL's rebuttal testimony shall be extended to Friday, March 30, 2007. Staff testimony shall also be due on Friday, March 16, 2007. To accommodate the revised testimony filing dates, prehearing statements shall now be due by March 30, 2007. Due to the revised testimony filing dates, the Intervenor's Motion for an extension of time to file the testimony of Mr. Plunkett until March 12, 2007, is rendered moot.

New Controlling Dates

Based on the foregoing, the following revised controlling dates shall govern this case:

Intervenor's Testimony and Exhibits	March 16, 2007
Staff's Testimony and Exhibits, if any	March 16, 2007
Rebuttal Testimony and Exhibits (Applicant Only)	March 30, 2007
Prehearing Statements	March 30, 2007

The remaining controlling dates set forth in the Order Establishing Procedure shall still apply.

Based on the foregoing, it is

ORDERED by Commissioner Matthew M. Carter II, as Prehearing Officer, that all Intervenor Testimony and Exhibits filed in this docket shall be filed by March 16, 2007. It is further

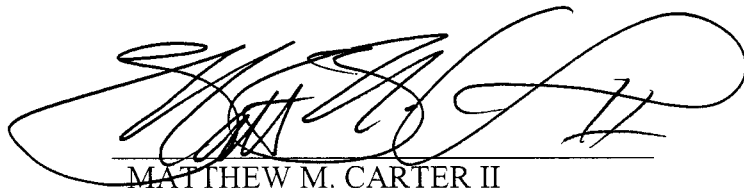
ORDERED that Staff's Testimony and Exhibits, if any, shall be filed by March 16, 2007. It is further

ORDERED that Florida Power & Light Company's Rebuttal Testimony and Exhibits shall be filed by March 30, 2007. It is further

ORDERED that prehearing statements shall be filed by March 30, 2007. It is further

ORDERED that the Order Establishing Procedure, Order No. PSC-07-0120-PCO-EI, is reaffirmed in all other respects.

By ORDER of Commissioner Matthew M. Carter II, as Prehearing Officer, this 7th  
day of March, 2007.



MATTHEW M. CARTER II  
Commissioner and Prehearing Officer

( S E A L )

LAH

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 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.