

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, F.A.C., submitted by Florida Public Utilities Company.

DOCKET NO. 070300-EI

In re: Petition for rate increase by Florida Public Utilities Company.

DOCKET NO. 070304-EI

ORDER NO. PSC-08-0019-PCO-EI

ISSUED: January 4, 2008

ORDER GRANTING MOTION TO CONSOLIDATE

On December 20, 2007, Florida Public Utilities Company (FPUC) filed a Motion to Consolidate the two dockets referenced above. The dockets were previously consolidated for hearing by Order No. PSC-07-0647-PCO-EI, issued August 9, 2007. Thereafter, as the issues were developed in the two cases and it became clear that they were interrelated, Order No. PSC-07-0969-PCO-EI, issued December 5, 2007, permitted parties to both dockets to rely upon the evidence presented in one docket in the other docket. Only the Office of Public Counsel (OPC) intervened in both dockets, however, and apparently it was not clear whether the parties to the storm hardening docket would be able to question evidence in the rate case that might affect their interests. FPUC asserts that Docket No. 070300-EI, its request for review of its 2007 storm hardening plan, and Docket No. 030304-EI, its petition for a rate increase in part to cover the costs of its storm hardening plan, are so intertwined that it would be more efficient to consolidate the dockets for all purposes. No party has objected to FPUC's motion.

Therefore, to relieve the apparent confusion about the scope of the consolidation of these cases, and to relieve any possible due process infirmities, Docket Nos. 070300-EI and 070304-EI are consolidated for all purposes. There will be one consolidated issue list, one Prehearing Order, one hearing, and one consolidated evidentiary record. Parties to one docket may participate in all aspects of the other docket to the extent they deem necessary.

It is therefore,

ORDERED by Commissioner Nancy Argenziano, as Prehearing Officer, that Florida Public Utilities Company's Motion to Consolidate is granted as described above.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of Commissioner Nancy Argenziano, as Prehearing Officer, this 4th day
of January, 2008.



NANCY ARGENZIANO
Commissioner and Prehearing Officer

(S E A L)

MCB

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 Office of Commission Clerk, 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.