

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of 2007 revisions to underground residential and commercial distribution tariff, by Florida Power & Light Company.

DOCKET NO. 070231-EI

In re: Petition for approval of underground conversion tariff revisions, by Florida Power & Light Company.

DOCKET NO. 080244-EI

ORDER NO. PSC-09-0333-PCO-EI

ISSUED: May 14, 2009

THIRD ORDER REVISING ORDER CONSOLIDATING DOCKETS  
AND ESTABLISHING PROCEDURE AND GRANTING FPL'S MOTION FOR EXTENSION  
OF TIME TO FILE REBUTTAL TESTIMONY

By Order No. PSC-09-0114-PCO-EI, issued on February 25, 2009, Docket Nos. 070231-EI and 080244-EI were consolidated, and the procedures and controlling dates were established. This Order was revised by Order No. PSC-09-1045-PCO-EI, issued on March 10, 2009. Further, on April 16, 2009, the dates for filing Intervenors Testimony and Exhibits, and Rebuttal Testimony and Exhibits were revised. On May 12, 2009, Florida Power & Light Company (FPL) filed its motion that it be granted until May 15, 2009, to file its rebuttal testimony. As justification, FPL states that it is awaiting the filing of a late-filed deposition exhibit. Further, FPL states that the parties and Commission staff have authorized it to represent that they do not object to the relief requested in its motion.

Therefore, the motion shall be granted in its entirety, and the filing dates for FPL's rebuttal testimony and exhibits shall be May 15, 2009. All other controlling dates will remain the same.

Based on the foregoing, it is

ORDERED by Commissioner Lisa Polak Edgar, as Prehearing Officer, that Florida Power & Light Company's Motion for Extension of Time to file rebuttal testimony is granted, and rebuttal testimony and exhibits shall be filed on May 15, 2009. It is further


ORDERED that all other aspects of Orders No. PSC-09-0114-PCO-EI, PSC-09-0145-PCO-EI, and PSC-09-0237-PCO-EI are hereby reaffirmed.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of Commissioner Lisa Polak Edgar, as Prehearing Officer, this 14th day of May, 2009.

  
LISA POLAK EDGAR  
Commissioner and Prehearing Officer

( S E A L )

RRJ

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 25-22.0376, 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.