

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for increase in rates by Florida Power & Light Company.

DOCKET NO. 080677-EI

In re: 2009 depreciation and dismantlement study by Florida Power & Light Company.

DOCKET NO. 090130-EI

ORDER NO. PSC-09-0521-PCO-EI

ISSUED: July 27, 2009

ORDER GRANTING AGREED MOTION FOR ENLARGEMENT OF TIME AND
FIRST ORDER MODIFYING PROCEDURE

I. Case Background

On November 17, 2008, Florida Power & Light Company (FPL) filed a test year letter, as required by Rule 25-6.140, Florida Administrative Code (F.A.C.), notifying this Commission of its intent to file a petition in the Spring of 2009 for an increase in rates effective January 1, 2010. Pursuant to the provisions of Chapter 366, Florida Statutes (F.S.), and Rules 25-6.0425 and 25-6.043, F.A.C., FPL filed the petition for an increase in rates on March 18, 2009. On March 20, 2009, Order No. PSC-09-0159-PCO-EI (Order Establishing Procedure) was issued, setting forth the controlling dates in this proceeding, including that all parties file Prehearing Statements on or before July 31, 2009. On July 21, 2009, FPL filed an Agreed Motion for Enlargement of Time for Parties to File Prehearing Statements (Motion).

II. Agreed Motion for Enlargement of Time

In its Motion, FPL states that because the Issues Conference is scheduled for July 29, 2009, just two days before the date on which the Prehearing Statements are due to be filed, the parties will need additional time to file their Prehearing Statements. FPL claims that an extension will assist in the efficient administration of this case by providing the parties with adequate time following the Issues Conference to refine and finalize their issues and Prehearing Statements, thus alleviating the potential need for multiple revisions and amendments to the Prehearing Statements. Accordingly, FPL requests that all parties be allowed to file Prehearing Statements no later than August 6, 2009. FPL asserts that it has discussed its Motion with the parties and is authorized to represent that all parties consent to the granting of FPL's Motion.

III. Ruling and Revised Controlling Dates

Pursuant to Rule 28-106.204(6), F.A.C., motions for extension of time which are filed prior to the expiration of the deadline sought to be extended may be granted upon a showing of good cause for the request. Upon consideration, and noting no objection from the other parties, FPL has shown good cause to extend the filing deadline for Prehearing Statements. A 6-day extension to August 6, 2009, will not prejudice any party to this case, nor will it delay the

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proceedings in the above docket. Accordingly, the controlling date established by the Order Establishing Procedure shall be revised as set forth below:

	<u>Existing Date</u>	<u>Modified Date</u>
Prehearing Statements	July 31, 2009	August 6, 2009


Based on the foregoing, it is

ORDERED by Commissioner Katrina J. McMurrian, as Prehearing Officer, that Florida Power & Light Company's Agreed Motion for Enlargement of Time for Parties to File Prehearing Statements is granted. It is further

ORDERED that the parties shall file Prehearing Statements on or before August 6, 2009. It is further

ORDERED that Order No. PSC-09-0159-PCO-EI is reaffirmed in all other respects.

By ORDER of Commissioner Katrina J. McMurrian, as Prehearing Officer, this 27th day of July, 2009.


KATRINA J. McMURRIAN
Commissioner and Prehearing Officer

(S E A L)

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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.