

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear cost recovery clause.

DOCKET NO. 110009-EI
ORDER NO. PSC-11-0245-PCO-EI
ISSUED: June 3, 2011

FIRST ORDER REVISING ORDER ESTABLISHING PROCEDURE

On Tuesday, March 29, 2011, Order No. PSC-11-0179-PCO-EI, the Order Establishing Procedure (OEP) was issued in Docket No. 110009-EI. During Commission staff's informal meetings with the parties and interested persons to this docket, concerns were raised about the Controlling Dates. Specifically, the parties were concerned about the time allotted for the utilities to prepare and file rebuttal testimony and the date for filing prehearing statements. The parties agreed that said dates were too short and more time is needed for the utilities to prepare and file rebuttal testimony. Having being briefed on the parties' agreement and reviewing the Commission calendar, I find there are sufficient reasons to modify the controlling dates of this proceeding. There is sufficient time to provide an extension of time for the utilities to prepare and file rebuttal testimony and the date for filing prehearing statements without prejudicing staff or other parties. This extension will not affect the dates set for the evidentiary hearing. Accordingly, the controlling dates established by the Order Establishing Procedure shall be revised as set forth below:

	<u>Existing Date</u>	<u>Modified Date</u>
Intervenors' Testimony and Exhibits	July 11, 2011	July 8, 2011
Staff's Testimony and Exhibits, if any	July 11, 2011	July 11, 2011
Rebuttal Testimony and Exhibits, if any	July 18, 2011	July 25, 2011
Prehearing Statements	July 15, 2011	July 25, 2011
Prehearing Conference	July 29, 2011	August 1, 2011
Last Day to Conduct Discovery	July 29, 2011	August 1, 2011

Based on the foregoing, it is

ORDERED by Commissioner Ronald A. Brisé, as Prehearing Officer, that the controlling dates established in Order No. PSC-11-0179-PCO-EI, are modified as set forth in this Order. It is further

ORDERED that Order No. PSC-11-0179-PCO-EI, is reaffirmed in all other respects.

DOCUMENT NUMBER-DATE

03877 JUN-3 =

FPSC-COMMISSION CLERK

By ORDER of Commissioner Ronald A. Brisé, as Prehearing Officer, this 3rd day of June, 2011.



RONALD A. BRISÉ
Commissioner and Prehearing Officer
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

(SEAL)

KY

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.