

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear cost recovery clause.

DOCKET NO. 150009-EI
ORDER NO. PSC-15-0291-PCO-EI
ISSUED: July 17, 2015

FIRST ORDER REVISING ORDER ESTABLISHING PROCEDURE EXTENDING TIME TO
FILE DISCOVERY AND RESPONSES

On January 30, 2015, the Order Establishing Procedure (OEP), Order No. PSC-15-0082-PCO-EI was issued. Section VIII of the OEP sets July 13, 2015 as the last day for discovery. Section IV.A.(5) of the OEP provides that discovery responses related to rebuttal testimony shall be served within 5 days of receipt. The hearing in this docket is scheduled for August 18-20, 2015.

On July 13, 2015, the Office of Public Counsel (OPC) filed a motion to extend the discovery deadline to August 4, 2015. As grounds for the motion, OPC states that the deadline, 6 days after rebuttal is filed, is insufficient time for serving discovery requests and responses. OPC contacted the parties to determine whether there was an objection to its motion; the parties have stated that there is no objection to extending the discovery deadline. However, FPL asks that the time for responses to discovery be extended to 10 days. No party has stated an objection to the extension of the response time to 10 days.

OPC's requested extension of the discovery deadline and FPL's request to file responses in 10 days are reasonable and will afford the parties sufficient time to complete discovery. The last day for discovery related to rebuttal shall be set at August 4, 2015. FPL shall have 10 days to respond to discovery requests.

Based upon the foregoing, it is

ORDERED by Chairman Art Graham, as Prehearing Officer, that the Order Establishing Procedure shall be revised as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-15-0082-PCO-EI is reaffirmed in all other respects.

By ORDER of Chairman Art Graham, as Prehearing Officer, this 17th day of July, 2015.



ART GRAHAM
Chairman and Prehearing Officer
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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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 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.