

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to approve transaction for accelerated decommissioning services at CR3 facility, transfer of title to spent fuel and associated assets, and assumption of operations of CR3 facility pursuant to the NRC license, and request for waiver from future application of Rule 25-6.04365, F.A.C. for nuclear decommissioning study, by Duke Energy Florida, LLC.

DOCKET NO. 20190140-EI
ORDER NO. PSC-2020-0105-PCO-EI
ISSUED: April 15, 2020

SECOND ORDER MODIFYING ORDER ESTABLISHING PROCEDURE

On September 20, 2019, the original filing and hearing schedule established by Order No. PSC-2019-0320-PCO-EI was cancelled pending issuance by the Nuclear Regulatory Commission (NRC) of its order on the nuclear license transfer from Duke Energy Florida, LLC (DEF) to Accelerated Decommissioning Partners (ADP). The NRC issued its order on April 1, 2020, transferring the CR3 nuclear facility operating license to ADP and a revised hearing schedule can be determined.

Section VIII of Order No. PSC-2019-0320-PCO-EI is hereby deleted and replaced with the following:

VIII. Controlling Dates

The following dates have been established to govern the key activities of this case:

- | | | |
|-----|--------------------------------------|----------------|
| (1) | Intervenors' testimony and exhibits | May 28, 2020 |
| (2) | Staff testimony and exhibits, if any | June 8, 2020 |
| (3) | Rebuttal testimony and exhibits | June 18, 2020 |
| (4) | Prehearing Statements | June 22, 2020 |
| (5) | Discovery deadline | June 29, 2020 |
| (6) | Prehearing conference | June 30, 2020 |
| (7) | Hearing | July 7-8, 2020 |
| (8) | Briefs, if any | July 14, 2020 |

Due to the expedited schedule required in this case, Section IV.A.(6), Discovery Procedures, shall be modified as follows:

(6) For discovery requests related to matters raised in the utility's direct testimony, the responding party shall serve its responses to the requesting party via electronic mail within 15 days of the date of the request. For discovery requests related to matters addressed in the intervenor and Commission staff testimony, the responding party shall serve its responses to the requesting party via electronic mail within 5 days of the date of the request. For discovery

requests related to matters addressed in the utility's rebuttal testimony, discovery responses shall be served within 5 days of receipt of the discovery request.

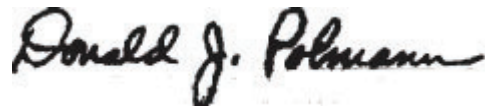
Based on the foregoing, it is

ORDERED that Section VIII, Controlling Dates, of Order No. PSC-2019-0320-PCO-EI is hereby replaced as stated in the body of this order. It is further

ORDERED that Section IV.A.(6), Discovery Procedures, of Order No. PSC-2019-0320-PCO-EI is hereby modified as stated in the body of this order. It is further

ORDERED that all other provisions of Order No. PSC-2019-0320-PCO-EI not directly affected by this order shall remain in full force and effect.

By ORDER of Commissioner Donald J. Polmann, as Prehearing Officer, this 15th day of April, 2020.



DONALD J. POLMANN, Ph.D., P.E.
Commissioner 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.

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.