

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of 2020-2029 Storm Protection Plan pursuant to Rule 25-6.030, F.A.C., Tampa Electric Company.

DOCKET NO. 20200067-EI

In re: Review of 2020-2029 Storm Protection Plan pursuant to Rule 25-6.030, F.A.C., Duke Energy Florida, LLC

DOCKET NO. 20200069-EI

In re: Review of 2020-2029 Storm Protection Plan pursuant to Rule 25-6.030, F.A.C., Gulf Power Company.

DOCKET NO. 20200070-EI

In re: Review of 2020-2029 Storm Protection Plan pursuant to Rule 25-6.030, F.A.C., Florida Power & Light Company.

DOCKET NO. 20200071-EI
ORDER NO. PSC-2020-0122-PCO-EI
ISSUED: April 22, 2020

FIRST ORDER MODIFYING ORDER ESTABLISHING PROCEDURE

Order No. PSC-2020-0073-PCO-EI (Procedural Order), issued on March 11, 2020, consolidated Docket Nos. 20200067-EI, 20200069-EI, 20200070-EI, and 20200071-EI for the purpose of the hearing, and established hearing procedures to govern these dockets, including controlling dates. On April 6, 2020, the Office of Public Counsel (OPC) submitted a motion to modify discovery deadlines, or in the alternative extend the due dates for testimony and exhibits (Motion). In its Motion, OPC requests that the amount of time the investor-owned utilities have to answer discovery be shortened, or in the alternative that the intervenor testimony filing date be extended by 10 days. Tampa Electric Company, Gulf Power Company, and Florida Power & Light Company responded in opposition to the request to shorten the discovery response times, but were not opposed to an extension of time for intervenor testimony, provided that a similar extension be given to the utilities. Duke Energy Florida, LLC, did not reply to OPC's Motion, but did advise OPC that it was also opposed to the request to shorten discovery response times, but not opposed to an extension of time for testimony and exhibits.

Having considered the arguments made by all parties, and given that there is no opposition to extending the due dates for testimony and exhibits as long as all parties are afforded the same additional time, I find that OPC's motion to extend the due dates for testimony and exhibits is granted, as set forth below. The discovery response times shall remain unchanged, as indicated in Section V of the Procedural Order. Accordingly, at this time it is necessary to modify the Procedural Order to establish new controlling dates.

As such, Section IX of the Procedural Order shall be modified and the following due dates are hereby established to govern the key activities of this case:

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| (1) Utility's testimony, storm protection plan, and exhibits | April 10, 2020 |
| (2) Intervenors' testimony and exhibits | May 26, 2020 |
| (3) Staff's testimony and exhibits, if any | June 9, 2020 |
| (4) Rebuttal testimony and exhibits | June 26, 2020 |
| (5) Prehearing Statements | July 20, 2020 |
| (6) Discovery deadline | July 23, 2020 |
| (7) Prehearing Conference | July 28, 2020 |
| (8) Hearing | August 10-13, 2020 |
| (9) Briefs | September 4, 2020 |

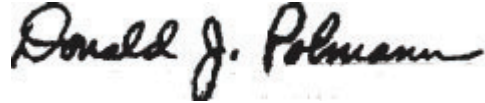
Based on the foregoing, it is

ORDERED by Commissioner Donald J. Polmann, as Prehearing Officer, that the Office of Public Counsel's motion to extend the due dates for testimony and exhibits is hereby granted. It is further

ORDERED that Order No. PSC-2020-0073-PCO-EI is modified as set forth in the body of this order. It is further

ORDERED that Order No. PSC-2020-0073-PCO-EI is reaffirmed in all other respects.

By ORDER of Commissioner Donald J. Polmann, as Prehearing Officer, this 22nd 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.

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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.