

7BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for a limited proceeding to approve clean energy connection program and tariff and stipulation, by Duke Energy Florida, LLC.

DOCKET NO. 20200176-EI
ORDER NO. PSC-2020-0477-PCO-EI
ISSUED: December 1, 2020

ORDER GRANTING LEAGUE OF UNITED LATIN AMERICAN CITIZENS'
MOTION TO EXTEND POST-HEARING BRIEF FILING DEADLINE

On July 1, 2020, Duke Energy Florida, LLC (Duke) filed a Petition for a Limited Proceeding to Approve The Clean Energy Connection Program and Tariff and Stipulation. The Clean Energy Connection Program is proposed by Duke as a voluntary community solar program that would allow participating customers to pay a subscription fee in exchange for receiving bill credits related to solar generation produced by solar facilities. Walmart Inc., Vote Solar, and the Southern Alliance for Clean Energy (SACE) are signatories to the Stipulation submitted by Duke, and intervened in support of Duke and approval of the Stipulation, Tariff, and Program. The League of United Latin American Citizens of Florida, a/k/a LULAC Florida Educational Fund, Inc. (LULAC) intervened and opposes Commission approval. The Office of Public Counsel and Florida Industrial Power Users Group (FIPUG) also intervened.

The administrative hearing in this docket was noticed for and conducted on November 17-18, 2020. As set by the Prehearing Officer in the Order Establishing Procedure, the current deadline for the parties to file post-hearing briefs is December 1, 2020.

On November 30, 2020, LULAC filed a Motion to Extend Post-Hearing Briefs Deadline (Motion). LULAC represents in the Motion that counsel has spoken with the court reporter regarding the transcript and “was informed that it will be filed by December 7, 2020, four business days after the filing deadline for the Post-Hearing Brief.” Motion at 1. LULAC asserts that it needs the transcript to prepare its post-hearing brief and requests that the deadline for all parties to file briefs be extended until two days after the transcript is filed in the docket.

The Office of Public Counsel, Vote Solar, and SACE support the relief requested in the Motion. Duke and Walmart take no position. FIPUG had not responded to LULAC at the time the Motion was filed.

There is no opposition to this Motion and LULAC has set forth sufficient facts upon which to grant an extension.

Based on the foregoing, it is

ORDERED by Chairman Gary F. Clark, as Presiding Officer, that the League of United Latin American Citizens’ Motion to Extend Post Hearing Brief Filing Deadline is granted. It is further

ORDERED that post-hearing briefs in this docket shall be filed not later than December 9, 2020.

By ORDER of Chairman Gary F. Clark, as Presiding Officer, this 1st day of December, 2020.



GARY F. CLARK
Chairman and Presiding Officer
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

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

SPS

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.

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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.