

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Application of Gulf Power)	DOCKET NO. 891345-EI
Company for a rate increase.)	ORDER NO. 22806
)	ISSUED: 4-12-90

ORDER GRANTING MOTION TO EXPEDITE

On March 29, 1990, the Office of the Public Counsel (OPC) filed a motion to expedite discovery responses. In its motion, OPC requested that Gulf Power Company (Gulf) be required to provide the responses to OPC's Seventh Set of Interrogatories and Seventh Request for Production of Documents on or before April 22, 1990. Pursuant to the Florida Rules of Civil Procedure, and Rule 25-22.034, Florida Administrative Code, these responses would be due on May 3, 1990. In support of this request, OPC states that a list of the information subsequently sought in its Seventh Set of Interrogatories and Seventh Request for Production of Documents was provided to Gulf's attorney, Jeffrey Stone, on March 23, 1990. Had the information been formally requested at that time, the response date would have been April 22, 1990. Thus, OPC concludes that expedition of discovery will not unduly burden Gulf.

Upon review of OPC's discovery requests, and in the absence of an objection by Gulf, we grant OPC's motion to require responses to its Seventh Set of Interrogatories and Seventh Request for Production of Documents no later than April 22, 1990.

By Order of Commissioner John T. Herndon, Prehearing Officer, this 12th day of April, 1990.

John T. Herndon
 Commissioner John T. Herndon,
 Prehearing Officer

(S E A L)
 (6583L)SBr:bmi

DOCUMENT NUMBER-DATE
 03169 APR 12 1990
 PSC-RECORDS/REPORTING

ORDER NO. 22806
DOCKET NO. 891345-EI
PAGE 2

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

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 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) 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 sewer utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, 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.