

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition of Nassau) DOCKET NO. 920783-EQ
Power for Approval of contract)
for the sale of capacity and)
energy to Florida Power and Light)
Company.)
_____))
In Re: Petition of Nassau Power) DOCKET NO. 920769-EQ
Corporation to Determine Need) ORDER NO. PSC-92-1000-PCO-EQ
for Electric Power Plant) ISSUED: 09/16/92
(Okeechobee County Cogeneration)
Plant).)
_____)

ORDER GRANTING EXTENSION OF TIME
FOR RESPONSE TO MOTION AND FOR FILING TESTIMONY

On August 25, 1992, Nassau Power Corporation (Nassau) filed a Motion for Enlargement of Time in which to respond to Florida Power and Light Company's (FPL's) Motion to Dismiss Nassau's Petition for Determination of Need.

On review of Nassau's Motion it becomes evident that if Nassau is granted the relief it requests (an extension until September 8, 1992), FPL will be required to file testimony in this docket before the Commission has an opportunity to rule on FPL's Motion to Dismiss. We believe that the preferable course of events is for the Commission to rule on the Motion to Dismiss prior to the filing of testimony by intervenors and staff.

Our staff has contacted Nassau and FPL and neither objects to our extending the time for filing testimony. We will therefore extend the time for the filing of intervenor and rebuttal testimony until after the September 29, 1992, agenda conference at which we will rule on FPL's Motion to Dismiss. In light of this change in testimony filing dates, we find Nassau's request for extension of time to respond to FPL's Motion to be reasonable.

It is therefore

ORDERED that the Motion for Extension of Time filed by Nassau Power Corporation on August 25, 1992, is hereby granted. It is further

ORDERED that Nassau's response to Florida Power and Light Company's Motion to Dismiss shall be filed with the Director of Records and Reporting on or before the close of business on Tuesday, September 8, 1992. It is further

DOCUMENT NUMBER-DATE


10671 SEP 16 1992

FILE RECORDS/REPORT

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ORDERED that direct testimony of intervenors must be filed with the Director of Records and Reporting on or before October 9, 1992, and rebuttal testimony of Nassau must be filed on or before October 23, 1992.

By ORDER of the Commissioner Betty Easley, as Prehearing Officer, this 16th day of September, 1992.


BETTY EASLEY, Commissioner
and Prehearing Officer

MAP:bmi

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 wastewater 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.