

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for expedited approval of asset optimization incentive mechanism, by Tampa Electric Company.

DOCKET NO. 130024-EI
ORDER NO. PSC-13-0295-PCO-EI
ISSUED: June 25, 2013

ORDER GRANTING TAMPA ELECTRIC COMPANY'S
MOTION TO HOLD PETITION IN ABEYANCE

On January 23, Tampa Electric Company (TECO) filed a petition for expedited approval of asset optimization incentive mechanism (petition) in this docket. On January 20, the Office of Public Counsel (OPC) filed its notice of intervention. TECO's petition came before the Commission at the April 25, 2013 Agenda Conference. OPC appeared at the Agenda Conference in opposition to the petition. After discussion by the Commission, the matter was deferred until the June 25, 2013 Agenda Conference to give staff an opportunity to obtain additional information.

On May 30, 2013, TECO filed a motion to hold the petition in abeyance (motion) beyond the June 25 Agenda Conference in order to give TECO the opportunity to discuss its proposed incentive mechanism with other interested parties in this docket. On June 4, 2013, OPC filed its response to the motion and stated that, while reserving all rights to oppose the proposed asset optimization program, it has no objection to the TECO motion.

Rule 28-106.211, Florida Administrative Code, provides that the presiding officer before whom a case is pending may issue any orders necessary to promote the just, speedy, and inexpensive determination of all aspects of the case. TECO's motion shall be granted. The petition shall be placed in abeyance until such time as TECO files a report with the Commission regarding the status of the matter.


Based on the foregoing, it is

ORDERED by Commissioner Art Graham, as Prehearing Officer, that Tampa Electric Company's motion to place case in abeyance is hereby granted. It is further

ORDERED that Tampa Electric Company shall file a report with the Commission on the status of the matter, including, if desired, a request to reopen the proceedings. It is further

ORDERED that this docket shall remain open.

By ORDER of Commissioner Art Graham, as Prehearing Officer, this 25th day of
June, 2013.



ART GRAHAM
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.