

M E M O R A N D U M

APRIL 3, 1995

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (BROWN) MCB
RE: DOCKET NO. 941101-EQ - PETITION FOR DETERMINATION THAT
ITS PLAN FOR CURTAILING PURCHASES FROM QUALIFYING
FACILITIES IN MINIMUM LOAD CONDITIONS IS CONSISTENT WITH
RULE 25-17.086, F.A.C., BY FLORIDA POWER CORPORATION.

0439-PCO

Attached is an ORDER GRANTING ADDITIONAL EXTENSION OF TIME TO
FILE TESTIMONY with attachments, to be issued in the above-
referenced docket. (Number of pages in Order - 3)

MCB/js

Attachment

cc: Division of Electric and Gas (Futrell, Haff)

I: 941101E.MCB

MUST GO TODAY

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for) DOCKET NO. 941101-EQ
determination that plan for) ORDER NO. PSC-95-0439-PCO-EQ
curtailing purchases from) ISSUED: April 3, 1995
qualifying facilities in minimum)
load conditions is consistent)
with Rule 25-17.086, F.A.C., by)
FLORIDA POWER CORPORATION.)
_____)

ORDER GRANTING ADDITIONAL EXTENSION OF TIME TO FILE TESTIMONY

On March 29, 1995, Orlando Cogen Limited (Orlando Cogen) filed a Stipulated Motion for Extension of Time to File Testimony. Orlando Cogen had filed a previous motion for extension of time on March 1, 1995, which was granted in Order No. PSC-95-0310-PCO-EQ, issued March 6, 1995. In the March 1st motion Orlando Cogen stated that discovery was progressing in the case, but the process had been slow and it needed the additional time to evaluate the direct testimony that Florida Power Corporation (FPC) filed on February 20, 1995. In this motion for extension of time, Orlando Cogen describes difficulties that its consultant has experienced translating the computer language of FPC's Unit Commit software program into a form that his computer system can read. It appears that the problems have been resolved, but the consultant needs a few extra days to complete his analysis before Orlando Cogen can file its testimony. Orlando Cogen and FPC request an extension to file intervenor testimony from April 3, 1995, until April 7, 1995, and an extension to file rebuttal testimony from April 24, 1995, to May 2, 1995. Orlando Cogen represents that other intervenors do not object to the extension.

The motion is granted. Although the timing is constrained, all parties have agreed to it, and the extension of time can be accommodated within the present hearing schedule. All intervenors and staff may file prefiled testimony no later than April 7, 1995. Florida Power Corporation and intervenors who rebut other intervenor testimony may file rebuttal testimony no later than May 2, 1995.

DOCUMENT NUMBER-DATE

03366 APR-3 95

FPSC-RECORDS/REPORTING

ORDER NO. PSC-95-0439-PCO-EQ
DOCKET NO. 941101-EQ
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By ORDER of Chairman Susan F. Clark, as Prehearing
Officer, this 3rd day of April, 1995.



SUSAN F. CLARK, Chairman and
Prehearing Officer

(S E A L)

MCB

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.