

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Fuel and Purchased Power) DOCKET NO. 960001-EI
Cost Recovery Clause and) ORDER NO. PSC-96-1285-PCO-EI
Generating Performance Incentive) ISSUED: October 16, 1996
Factor.)
_____)

ORDER ESTABLISHING BRIEFING SCHEDULE

At the hearing held on August 29, 1996 in this docket, the following issue was addressed:

"Should an electric utility be permitted to include, for retail fuel cost recovery purposes, fuel costs of generation at any of its units which exceed, on a cents-per-kilowatt-hour basis, the average fuel cost of total generation (wholesale plus retail) out of those same units?"

This issue was not resolved at the hearing in order to provide the parties the opportunity to file post-hearing briefs. After briefs are filed, our staff will file a recommendation for our consideration at the Commission's Agenda Conference. The following dates have been established to control the resolution of this issue:

Post-hearing Briefs	November 4, 1996
Staff Recommendations	December 5, 1996
Agenda Conference	December 17, 1996

The briefs shall conform to the post-hearing procedures established in the Prehearing Order, Order No. PSC-96-1100-PHO-EI, issued August 27, 1996.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the controlling dates set forth in the body of this Order are hereby approved.

DOCUMENT NUMBER - DATE

11044 OCT 16 96

FPSC-RECORDS/REPORTING

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By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 16th day of October, 1996.



J. TERRY DEASON, Commissioner and
Prehearing Officer

(S E A L)

VDJ

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 25-22.0376, 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.