

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for
Determination of Need for an
Electrical Power Plant in
Okeechobee County by Okeechobee
Generating Company, L.L.C

DOCKET NO. 991462-EU
ORDER NO. PSC-99-2165-PCO-EU
ISSUED: November 8, 1999

REVISED ORDER ESTABLISHING PROCEDURE

By motion filed November 1, 1999, Florida Power & Light Company (FPL) requested an extension of time to file its intervenor testimony in this docket. Pursuant to Order No. PSC-99-2002-PCO-EU, issued October 13, 1999, FPL is currently required to file its intervenor testimony in this docket by November 8, 1999. In its motion, FPL requested that this deadline be extended either: (1) six weeks from the date that FPL's petition to intervene is granted; (2) three weeks from the date FPL's petition to intervene is granted, if FPL's motion to expedite discovery is granted; or (3) five weeks after FPL's petition to intervene is granted, if the expedited discovery schedule proposed by the petitioner, Okeechobee Generating Company, L.L.C. (OGC), is granted. FPL asserts that it is unable to adequately prepare and submit testimony by the established deadline because it was unable to conduct discovery until its petition to intervene in this docket was granted. By motion filed November 3, 1999, Florida Power Corporation (FPC), joined in FPL's motion for extension of time to file its intervenor testimony. Both FPL and FPC indicate in their motions that OGC objects to the requested extensions.

Upon review of these pleadings and consideration of the short time-frame within which this proceeding is scheduled, I find that the following dates established in Order No. PSC-99-2002-PCO-EU to govern this proceeding shall be changed as indicated below:

- 1) The deadline for filing Intervenor and Staff Testimony shall be extended from November 8, 1999, to November 19, 1999.
- 2) The deadline for filing Rebuttal Testimony shall be extended from November 22, 1999, to November 29, 1999.
- 3) The deadline for filing Prehearing Statements shall be extended from November 15, 1999, to November 22, 1999.
- 4) The discovery deadline shall be extended from December 1, 1999, to December 3, 1999.

DOCUMENT NUMBER-DATE

13689 NOV-89

FPSC-RECORDS/REPORTING

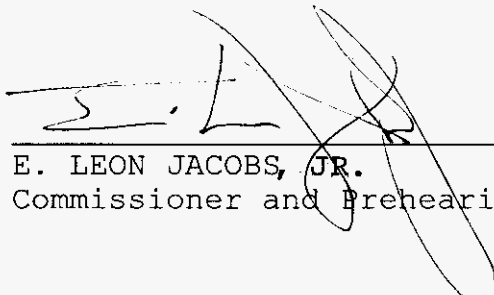
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Based upon the foregoing, it is hereby

ORDERED by Commissioner E. Leon Jacobs, as Prehearing Officer, that the controlling dates established for this docket in Order No. PSC-99-2002-PCO-EU, issued October 13, 1999, are hereby revised as set forth in the body of this Order. It is further

ORDERED that all other aspects of Order No. PSC-99-2002-PCO-EU, issued October 13, 1999, are hereby reaffirmed as controlling in this docket.

By ORDER of Commissioner E. Leon Jacobs, Jr. as Prehearing Officer, this 8th day of November, 1999.



E. LEON JACOBS, JR.
Commissioner and Prehearing Officer

(S E A L)

WCK/TRC

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.

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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, 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.