

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of the retail
rates of Florida Power & Light
Company.

DOCKET NO. 001148-EI
ORDER NO. PSC-02-0348-PCO-EI
ISSUED: March 14, 2002

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
AGREED MOTION TO SUSPEND SCHEDULE FOR HEARINGS AND
PREHEARING PROCEDURES AND TO SUSPEND DISCOVERY

On March 14, 2002, Florida Power & Light Company ("FPL") filed its Agreed Motion to Suspend Schedule for Hearings and Prehearing Procedures and to Suspend Discovery ("Agreed Motion"). In the Agreed Motion, FPL requests that the Commission take the following action: (1) suspend the schedule set forth in Order Nos. PSC-01-2111-PCO-EI, P.C.-02-0089-PCO-EI, and P.C.-02-0318-PCO-EI (the "Procedural Orders") for hearings and prehearing procedures; and (2) suspend discovery while the Commission reviews and rules upon the Joint Motion for Approval of Stipulation and Settlement filed contemporaneously with the Agreed Motion.

In the Agreed Motion, FPL asserts that the if the Commission approves the Stipulation and Settlement, the need for hearings and preparation for hearings in this docket will be avoided. FPL notes that hearings in this docket are currently scheduled to begin in four weeks, thus the parties are presently at a high level of prehearing activity, such as preparing and filing testimony, preparing and responding to discovery, and preparing lengthy prehearing statements. FPL asserts that unless the present schedule for hearing and prehearing procedures is suspended, the time and expense involved in these activities will not be avoided, even though it will prove unnecessary if the Commission approves the Stipulation and Settlement.

FPL further asserts that all parties' interests will be best served by granting the Agreed Motion, effective immediately. In the event the Commission does not approve the Stipulation and Settlement, FPL requests that the prehearing officer convene a preliminary prehearing conference among the parties to set new hearing dates, reschedule the necessary prehearing procedures, and permit discovery to resume thereafter. FPL asserts that all signatories to the Stipulation and Settlement concur with the

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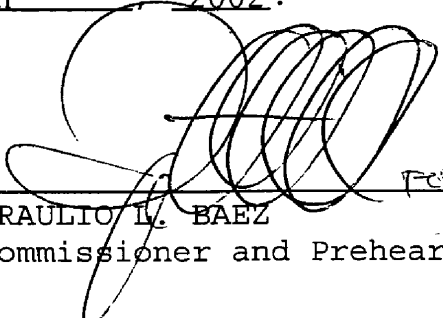
Agreed Motion. In addition, Commission staff has contacted the South Florida Hospital and Healthcare Association which does not oppose this motion so long as the substantive and procedural rights of the parties are preserved should the Commission at any point reinstate a procedural schedule in this docket.

Upon consideration, FPL's Agreed Motion is granted. Absent the relief requested in the Agreed Motion, the parties and the Commission may have little choice but to expend significant time and expense in preparing for hearings that may not be required if the Commission approves the Stipulation and Settlement filed contemporaneously with the Agreed Motion. To avoid this undesirable situation, the relief requested in the Agreed Motion appears reasonable. This Order is entered pursuant to the authority granted in Rule 28-106.211, Florida Administrative Code, to promote the just, speedy, and inexpensive determination of all aspects of this case. This Order is entered without prejudice to the substantive and procedural rights of the parties should the Commission for any reason reinstate a procedural schedule in this docket.

It is therefore

ORDERED that Florida Power & Light Company's Agreed Motion to Suspend Schedule for Hearings and Prehearing Procedures and to Suspend Discovery is granted.

By ORDER of Commissioner Braulio L. Baez, as Prehearing Officer, this 14th day of March 2002.



BRAULIO L. BAEZ
Commissioner and Prehearing Officer

(S E A L)

RVE/WCK

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, 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 the Commission Clerk and Administrative Services, 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.