

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental cost
recovery clause.

DOCKET NO. 030007-EI
ORDER NO. PSC-03-1122-PCO-EI
ISSUED: October 8, 2003

ORDER GRANTING MOTION FOR LEAVE TO FILE REVISED TESTIMONY

On September 5, 2003, Progress Energy Florida, Inc. (PEF) filed a Motion for Leave to File Revised Testimony. The revised testimony is to replace the original testimony and exhibits of Javier Portuondo submitted on August 8, 2003. PEF states that in the course of responding to discovery it realized that Mr. Portuondo's exhibits included an out-dated version of Form 42-8E, as well as a slight error in the depreciation rates reflected in the testimony and exhibits. These oversights have been corrected in the revised testimony and exhibits. PEF believes that providing revised testimony and exhibits reflecting updated dollar amounts will avoid confusion.

No responses to PEF's Motion have been filed. In this instance, it appears that none of the other parties would be prejudiced by the revision. In addition, correction of this error constitutes good cause. Accordingly, I find that it is appropriate to allow PEF to substitute the revised testimony and exhibits of Javier Portuondo for the original testimony and exhibits filed on August 8, 2003.

Based on the foregoing, it is

ORDERED by Commissioner Braulio L. Baez, as Prehearing Officer, that Progress Energy Florida, Inc.'s Motion for Leave to File Revised Testimony is hereby granted.

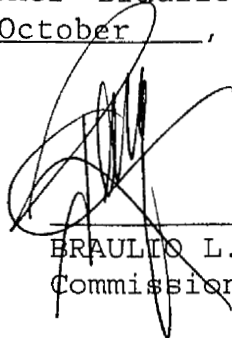
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By ORDER of Commissioner Braulio L. Baez, as Prehearing Officer, this 8th day of October, 2003.

 for Commissioner Braulio Baez

BRAULIO L. BAEZ
Commissioner and Prehearing Officer

(S E A L)

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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 Director, Division of the Commission Clerk and

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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.