

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for determination of need for expansion of electrical cogeneration power plant in Palm Beach County by Florida Power & Light Company and New Hope Power Partnership.

DOCKET NO. 040766-EI  
ORDER NO. PSC-04-0872-PCO-EI  
ISSUED: September 3, 2004

ORDER GRANTING JOINT MOTION AND ESTABLISHING  
NEW PREHEARING DATE

By Order No. PSC-04-0754-PCO-EI, issued August 5, 2004, a procedural schedule was established setting forth the controlling dates for this docket, including a Prehearing Conference, scheduled to take place on October 7, 2004.

On August 31, 2004, a Joint Motion Requesting Rescheduling of the Prehearing Conference (Motion) was filed by Florida Power & Light Company (FPL) and New Hope Power Partnership (New Hope), due to a scheduling conflict FPL's counsel has with the October 7, 2004 Prehearing Conference date. All parties of record have been contacted about rescheduling the Prehearing Conference to the afternoon of October 4, 2004. None of the parties raised any objection, and the parties believe that no prejudice would be occasioned by the rescheduling.

Based on the foregoing, the request is reasonable and is hereby granted. Therefore, the following revised dates shall govern this case:

- 1) Prehearing Conference October 4, 2004.

Based on the foregoing, it is

ORDERED by Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, that the Joint Motion for Requesting Rescheduling of the Prehearing Conference is granted. It is further

ORDERED that the controlling date for the Prehearing Conference established in Order No. PSC-04-0754-PCO-EI is modified as set forth in the body of this Order. Order No. PSC-04-0754-PCO-EI is affirmed in all other respects.

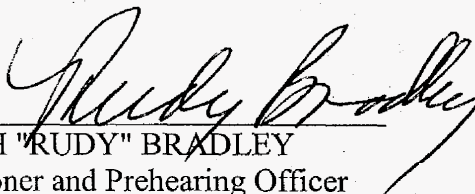
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FPSC-COMMISSIONER RUDOLPH

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By ORDER of Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, this  
3rd day of September, 2004.

  
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RUDOLPH "RUDY" BRADLEY  
Commissioner and Prehearing Officer

( S E A L )

JSB

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 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.