

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Energy conservation cost recovery  
clause.

DOCKET NO. 040002-EG  
ORDER NO. PSC-04-0962-PCO-EG  
ISSUED: October 1, 2004

ORDER AMENDING ORDER ESTABLISHING PROCEDURE

Gulf Power Company (Gulf) has requested additional time to file its testimony in this docket because restoration efforts in the wake of Hurricane Ivan demand the immediate attention of all available personnel. The current filing dates and the proposed dates are shown below.

<b>Event</b>	<b>Current Date</b>	<b>Proposed Date</b>
Gulf's Projection Testimony	9/24/04	10/04/04
Intervenor Testimony	10/01/04	10/11/04
Staff Testimony	10/01/04	10/11/04
Gulf's Rebuttal Testimony	10/13/04	10/18/04
Prehearing Statements	10/18/04	10/18/04

Under this proposal, staff and the intervenors would have to file testimony responding to the other utilities' testimony on the currently scheduled date, and would file testimony pertaining to Gulf on the proposed dates. Thus, staff and the intervenors would have to file two rounds of testimony if they wanted to respond to the other utilities and then to Gulf. The intervenors, Office of Public Counsel and Florida Industrial Power Users Group, do not object to the proposed schedule change. The other utilities participating in this docket do not object either.

Gulf has shown good cause to modify the schedule for submitting testimony, and I therefore grant its request.

Based on the foregoing, it is

ORDERED that the schedule for submitting testimony in this docket shall be modified as explained in the body of this order.

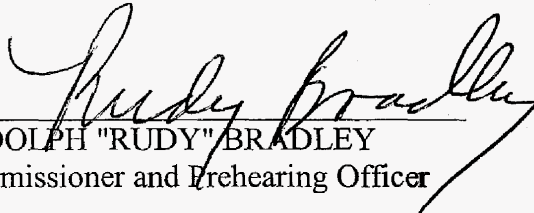
DOCUMENT NUMBER-DATE

10597 OCT-13

FPSC-COMMISSION CLERK

ORDER NO. PSC-04-0962-PCO-EG  
DOCKET NO. 040002-EG  
PAGE 2

By ORDER of Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, this  
1st day of October, 2004.

  
\_\_\_\_\_  
RUDOLPH "RUDY" BRADLEY  
Commissioner and Prehearing Officer

( S E A L )

MCB

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.