

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for approval of storm cost recovery clause for recovery of extraordinary expenditures related to Hurricanes Charley, Frances, Jeanne, and Ivan, by Progress Energy Florida, Inc.

DOCKET NO. 041272-EI
ORDER NO. PSC-05-0075-PCO-EI
ISSUED: January 21, 2005

ORDER GRANTING MOTION FOR
EXTENSION OF TIME TO FILE TESTIMONY

Order No. PSC-04-1151-PCO-EI, the Order Establishing Procedure, issued November 18, 2004, established dates for a number of prehearing activities, including dates for the prefiling of testimony. On January 20, 2005, the Office of Public Counsel (OPC) filed a Motion for Extension of Time to File Testimony (Motion).

In support of its Motion, OPC states that due to conflicts limiting the availability of Progress Energy Florida, Inc.'s (PEF) witnesses and the expedited nature of these proceedings, depositions of PEF's witnesses could not be scheduled until January 24, 2005, one day before intervenor testimony is currently due. OPC believes that it would be disadvantaged without an extension of time in which to file its testimony, because OPC would otherwise be unable to utilize the information from the deposition in its testimony.

OPC states that it has conferred with the parties in the docket, and that the parties have agreed to an extension of approximately one week, provided that the dates for all remaining testimonies are also extended. OPC further contends that the parties will not be prejudiced by granting the extension of time.

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

- | | |
|--------------------------------------|-------------------|
| 1) Intervenor testimony and exhibits | January 31, 2005 |
| 2) Staff testimony and exhibits | February 14, 2005 |
| 3) Rebuttal testimony and exhibits | February 28, 2005 |

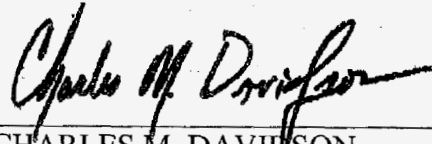
Based on the foregoing, it is

ORDERED by Commissioner Charles M. Davidson, as Prehearing Officer, that the Motion Granting Extension of Time to File Testimony is granted. It is further

ORDERED that Order No. PSC-04-1151-PCO-EI is affirmed in all other respects.

DOCUMENT NUMBER-DATE
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FPSC-COMMISSION CLERK

By ORDER of Commissioner Charles M. Davidson, as Prehearing Officer, this 21st day of January, 2005.



CHARLES M. DAVIDSON
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.