

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for authority to recover prudently incurred storm restoration costs related to 2004 storm season that exceed storm reserve balance, by Florida Power & Light Company.

DOCKET NO. 041291-EI
ORDER NO. PSC-05-0238-PCO-EI
ISSUED: March 2, 2005

ORDER REQUIRING NOTICE OF SERVICE HEARINGS

On November 4, 2004, Florida Power & Light Company (FPL) filed a petition seeking authority to recover prudently incurred restoration costs, in excess of its storm reserve balance, related to the hurricanes that struck its service territory in 2004. The matter has been scheduled for hearing on April 20, 2005, by Order No. PSC-04-1150-PCO-EI, issued November 18, 2004. As part of the Commission's consideration of the petition, customer service hearings have been scheduled for the purpose of receiving public input on the matters pertaining to FPL's request. Accordingly, this Order sets forth the procedures by which FPL shall provide notice of the service hearings to its affected customers. This Order is issued pursuant to Rule 28-106.211, Florida Administrative Code, which provides that the presiding officer before whom a case is pending may issue any orders necessary to effectuate discovery, prevent delay, and promote the just, speedy, and inexpensive determination of all aspects of the case.

Service Hearing Schedule

Six public service hearings have been scheduled for the times and places indicated below:

Wednesday, April 6, 2005, 10:00 a.m. – 2:00 p.m.
School Board of Lee County – Board Room
Dr. James A. Adams Public Education Center
2055 Central Avenue
Ft. Myers, Florida

Wednesday, April 6, 2005, 6:00 p.m. – 9:00 p.m.
Charlotte County Commission Chambers – Room 119
18500 Murdock Circle
Port Charlotte, Florida

Monday, April 11, 2005, 4:00 p.m. – 8:00 p.m.
City Commission Chambers
City Hall
301 S. Ridgewood Avenue
Daytona Beach, Florida

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

Tuesday, April 12, 2005, 10:00 a.m. – 2:00 p.m.
City Council Chambers
City Hall
900 E. Strawbridge Avenue
Melbourne, Florida

Wednesday, April 13, 2005, 10:00 a.m. – 2:00 p.m.
Jane Thompson Memorial Chambers
Palm Beach County Governmental Center
301 N. Olive Avenue
West Palm Beach, Florida

Wednesday, April 13, 2005, 6:00 p.m. – 9:00 p.m.
Holiday Inn – Downtown
1209 S. Federal Highway
Stuart, Florida

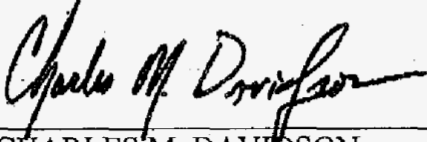
Notice

Pursuant to Section 25-22.0405, Florida Administrative Code, the Commission may require public utilities to publish notice of hearing in newspapers of general circulation in the area affected, if the Commission finds that it is necessary in order to afford adequate notice to the customers of the utility. FPL is therefore required to place a notice in the newspaper of general circulation in each county in which affected customers reside, to be no smaller than one-eighth (1/8) of a page, and to be published no fewer than 14 and no more than 30 days prior to the first service hearing. The notices shall be submitted to Commission staff for review prior to being placed for publication. They shall include the date, time and location of each service hearing, and shall also include a brief summary of the issues before us and a description of the information being sought through the public hearings.

Based on the foregoing, it is

ORDERED by Commissioner Charles M. Davidson, as Prehearing Officer, that the scheduled service hearings shall be noticed as set forth within the body of this Order.

By ORDER of Commissioner Charles M. Davidson, as Prehearing Officer, this 2nd
day of March, 2005.



CHARLES M. DAVIDSON
Commissioner and Prehearing Officer

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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 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.