

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery
clause with generating performance incentive
factor.

DOCKET NO. 080001-EI
ORDER NO. PSC-08-0610-PCO-EI
ISSUED: September 22, 2008

ORDER GRANTING FLORIDA PUBLIC UTILITIES COMPANY'S
UNOPPOSED MOTION FOR EXTENSION OF TIME

I. Case Background

As part of the Commission's continuing fuel and purchased power cost recovery and generating performance incentive factor proceedings, this docket was opened, and a hearing has been set for November 4-6, 2008. By Order No. PSC-08-0148-PCO-EI, issued March 11, 2008, a procedural schedule was established setting forth the controlling dates for this docket. On August 1, 2008, pursuant to Order No. PSC-08-0488-PCO-EI, the filing date for Staff's testimony was rescheduled from September 29, 2008, to October 6, 2008.

On August 28, 2008, Florida Public Utilities Company (FPUC) filed a Motion for Extension of Time for submission of its projection schedules, testimony, and exhibits ("Projection Testimony") in this docket. Currently, the Order Establishing Procedure requires that Projection Testimony be filed by all investor-owned utilities on or before September 2, 2008. FPUC requests that it be permitted to file its Projection Testimony on September 9, 2008.

II. Unopposed Motion

In its Motion, FPUC states that it had begun the preparation of its Projection Testimony, but a tropical storm affected FPUC's service area prior to FPUC's completion of its Projection Testimony. FPUC contends that both the main office of FPUC and the utility service areas were affected by the tropical storm. FPUC asserts that while there was no major damage to its service area from the tropical storm, there were activities and issues caused by the storm which took priority over the testimony preparation for several personnel. These same personnel are necessary for the completion of the schedules and testimony. As a result, the required filings cannot be completed prior to September 2, 2008, and FPUC requests an extension until September 9, 2008, to file its Projection Testimony. FPUC asserts that OPC has no objection to this request.

III. Ruling and Revised Controlling Dates

Having reviewed this Motion, it appears that FPUC has alleged sufficient grounds for an extension of time to file its Projection Testimony, and FPUC's Motion for Extension of Time is hereby granted. FPUC's Projection Testimony shall be filed no later than Tuesday, September 9, 2008. However, FPUC is encouraged to file its Projection Testimony prior to the revised filing

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date in a piecemeal fashion to the extent possible. All other controlling dates established for this docket shall remain unchanged, unless further modified by the Prehearing Officer.

Based on the foregoing, it is

ORDERED by Commissioner Katrina J. McMurrian, as Prehearing Officer, that the Florida Public Utilities Company's Unopposed Motion for Extension of Time is hereby granted as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-08-0148-PCO-EI and Order No. PSC-08-0488-PCO-EI are reaffirmed in all other respects.

By ORDER of Commissioner Katrina J. McMurrian, as Prehearing Officer, this 22nd day of September, 2008.


KATRINA J. McMURRIAN
Commissioner and Prehearing Officer

(S E A L)

LCB

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 Office of Commission Clerk, 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.